

Bourke Shire Council Agenda Monday, 26th August 2013

Notice is hereby given that an Ordinary Meeting of Council will be held at the Council Chambers at Bourke Shire Council Offices at 29 Mitchell Street, Bourke, commencing at 9.00am for the purpose of considering the items included on the Agenda

General Manager:

Ross Earl

AGENDA

C12.1

1. Opening Prayer
2. Remembrance
3. Apologies
4. Declaration of Interest (Forms included with Business Papers)
5. Mayoral Minute
6. Starring of Items

A number of items have been starred for discussion.

The Mayor will receive requests to star additional items to be discussed.

Recommendation:

That recommendations as detailed in the un-starred items in the Agenda for the Ordinary Meeting of Council held on Monday, 2013 be adopted.

7. Confirmation of the Minutes

Recommendation:

That the minutes of the ordinary meeting of Council held on Monday, 22nd July 2013 be accepted as a true and accurate record of that meeting be adopted.

8. Business Arising

	Report No	Report	Page No	Recommendation
	008/2013	Business Arising	8	Notation

9. Engineering Services Department

	Report No	Report	Page No	Recommendation
	115/2013	Street Tree Replanting Plan	12	Adoption
	116/2013	Draft Parks and Garden Management Plan	12	Adoption
★	117/2013	Request for Tree Removal	13	Consideration

10. Environmental Services & Development Department

	Report No	Report	Page No	Recommendation
	/2013	Nil Reports for August		

General Manager

	Report No	Report	Page No	Recommendation
	339/2013	Revision of Code of Meeting Practice	15	Notation
	340/2013	Payment of Expenses and provision of facilities for Mayor and Councillors	16	Notation
★	341/2013	Deed of Agreement with Brewarrina and Walgett Shires under Section 355 of the Local Government Act 1993	18	Consideration
	342/2013	Appointment of Persons to Councils Code of Conduct Review Committee	19	Adoption
	343/2013	Local Infrastructure Renewal Scheme	23	Notation
	344/2012	Roads and Maritime Service Agency Agreement	24	Notation
★	345/2013	Community Meetings	24	Notation
	346/2013	Bourke Shire Council Privacy Management Plan	25	Adoption
★	347/2013	Bourke Shire Council Business Continuity Plan	26	Notation
★	348/2013	Tour De OROC – Charity Bike Ride by Mathew Dickerson Mayor of Dubbo	26	Consideration
	349/2013	Grandstand Fire	28	Notation
★	350/2013	Delivery Plan Fourth Quarter review	30	Notation

11. Corporate Services Department

	Report No	Report	Page No	Recommendation
★	442/2013	Bank Reconciliation & Statement of Bank Balances 2013	31	Notation
★	443/2013	Investment Report as at 2013	33	Adoption
	444/2013	Financial Statements	35	Adoption

	445/2013	Rates and Charges Reconciliation	36	Adoption
★	446/2013	Pecuniary Interest Returns	41	Notation

12. Tourism & Development

	Report No	Report	Page No	Recommendation
	/2013	Nil Reports for August		

13. Delegates and Councillors Reports

	Report No	Report	Page No	Recommendation
	/2013	Nil Reports for August		

14. Committee Minutes

	Report No	Report	Page No	Recommendation
	709/2013	Road and Plant Committee	42	Adoption
	710/2013	Economic Development and Tourism Committee	46	Adoption
	711/2013	Town and Villages Committee	50	Adoption

15. Policies

	Report No	Report	Page No	Recommendation
	803a/2013	Use of Council Issued Business Card	66	Adoption
	803b/2013	Staff Housing	70	Adoption
	803c/2013	Payment of Expenses and Provision of Facilities for Mayor and Councillors	73	Adoption

16. Précis of Correspondence

	Report No	Report	Page No	Recommendation
★	926/2013	Request for Support National Anti-racism Campaign	103	Consideration
	927/2013	Changes to Local Government (Early Intervention) Act 2013	103	Notation
★	928/2013	Request for participation in United Services Union White Ribbon initiative	103	Consideration
★	929/2013	Community Contribution – Missionaries of Charity	104	Adoption

17. Activity Reports

	Report	Report	Page No	Recommendation
	10/2013	Engineering	Attachment	Notation
	20/2013	Environmental	Attachment	Notation
	30/2013	General Manager	Attachment	Notation
	40/2013	Corporate Services	Attachment	Notation
	50/2013	Tourism & Development	Attachment	Notation

18. Closed Session

	Report No	Report		Recommendation
★	112/2013	Purchase of (1) Quad Axle Low Loader with Spread Deck	105	Adoption
★	113/2013	Plant Hire	105	Adoption
★	114/2013	Naming of the Bogan Bridge at Beemery	105	Consideration
★	507/2013	Proposed Property Development at North Bourke	106	Consideration
★	447/2013	Outstanding Rates, Water and Debtor Accounts	106	Notation

Community Open Forum at 10am, for members of the public to address Council

10.00am Open Forum
11.00am Update from Police

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

CALENDAR OF EVENTS

Month/Year	Meeting Date	Event
2013		
August	6 th	LRC – 9.30am – Rural Fire Service – North Bourke
	6 th	LEMC – 10.30am - Rural Fire Service – North Bourke
	7 th	Roads Committee Meeting – 1.00pm
	26 th	Council Meeting – 9.00am – Council Chambers
September	23 rd	Council Meeting - 9.00am – Council Chambers
October	1 st – 3 rd	Local Government NSW Annual Conference 2013, Sydney
	28 th	Council Meeting – 9.00am – Council Chambers
November	12 th 14 th	2013 Local Roads & Transport Congress, Alice Springs
	25 th	Council Meeting - 4 th Monday Merged with December Meeting – 9.00am – Council Chambers

COUNCILLOR INFORMATION LIST

Information which has been sent out to Councillors since the last meeting of Council held on Monday, 22nd July 2013

DATE	INFORMATION SENT	Author	Email	Post	Précis
29/07/13	Media Release -The facts say "YES" for Bourke	Mayor	Councillors		
07/08/13	Letter from Cr Bob Stutsel re Park Management Plan	Cr Stutsel	Councillors		
07/08/13	Media Release – Section 355 committee meeting information	Mayor	Councillors		
08/08/13	Memo - Office closure	Ross Earl	Councillors		
08/08/13	Community Meeting Louth and Wanaaring	Ross Earl	Councillors		
08/08/13	Carers (Recognition) Act 2010	Ross Woodward	Councillors		
15/08/13	Memo – Grandstand Fire	Ross Earl	Councillors		

BUSINESS ARISING FROM 22ND July 2013

KEY: ☐ Action still pending ☐ Action

GM	General Manager	MRS	Manager of Road Services
MCS	Manager Corporate Services	MES	Manager Environmental Services
MTD	Manager Tourism & Development	MW	Manager of Works

213/2012 – Plaques – Rest Areas

Responsible Officer: MRS

DECISION	ACTION TAKEN
Plaques to be applied to the three (3) rest areas named for Greens, Gleeson's and Bowden's Transport Companies	In progress

422/2012 Opportunity for Public Toilets in Oxley Street

Responsible Officer: GM

DECISION	ACTION TAKEN
Matter to be referred to the Town Committee	Business Group advised that additional signage is all that is required

563/2012 – Needle & Syringe Program in Bourke

Responsible Officer: GM

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> 1. That Council staff prepare a brief report on action thus far and the result achieved. 2. That Council continue to make representation to the Minister for Health with regards to the Needle and Syringe Program and the problems that it is creating in our community. 	Update reported to Town Committee 7 th August

98/2013 – Proposed Amendment of LEP

Responsible Officer: MENV

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> 1. Council prepare a planning proposal to have the Bourke Local Environmental Plan 2012 (BLEP 2012) amended to allow secondary dwellings to be constructed on land zoned RU1 Primary Production. 2. A further report be presented to Council to obtain consent to submit that planning proposal to the NSW Department of Planning. 3. Council obtain indicative costs involved. 	In progress

206/2013 - Review of Organisational Structure

Responsible Officer: GM

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> 1. That the Council obtain advice from Brewarrina Shire as to their willingness to continue negotiations in relation to a shared appointment of a qualified Engineer in the capacity of a Group Leader or similar. 2. That combination of the position of Services Manager and Water and Wastewater Manager be formalised and all those functions be transferred to the Manager of Works with the Exception of The Building Services Team 3. That the recommendations in relation to the realignment of any positions be considered prior to the advertising of any vacancies. 4. The positions descriptions of positions identified within the report from Local Government Management Solutions as requiring review be undertaken in consultation with both the employee and any union involved. 5. That the position descriptions of all employees be updated to reflect current duties performed and requirements of the organisation. 	<ol style="list-style-type: none"> 1. In progress 2. Complete 3. Ongoing 4. In progress 5. In progress

254/2013 – Old Cemetery

Responsible Officer: MENV

DECISION	ACTION TAKEN
Environmental staff work with Council's Heritage Advisor to develop a Plan of Management for the old cemetery	In progress

256/2013 – Donations to Schools

Responsible Officer: MCS

DECISION	ACTION TAKEN
Donations of \$100 to be sent to each school in Bourke Shire for end of school ceremonies	Completed

257/2013 – Constitutional Recognition

Responsible Officer: GM

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> 1. Prepares a marketing campaign to encourage Bourke residents to vote for Federal recognition of Local Government in the Referendum to be held with the Federal Election. 2. Write to Premier of NSW, the Hon Barry O'Farrell asking him to support the Federal recognition of Local Government 3. Mayor, Deputy Mayor and General Manager be delegated authority to coordinate Council's campaign in support of the Yes Vote for the upcoming referendum on constitutional recognition. 	Will not take place at this stage

264/2013 – Local Government NSW Annual Conference 2013

Responsible Officer: GM

DECISION	ACTION TAKEN
Mayor & General Manager to attend and other Councillors wishing to attend to advise ASAP	Registration completed

267/2013 – Community Contribution – Bourke "A" Day Bowls Committee

Responsible Officer: MCS

DECISION	ACTION TAKEN
A contribution of \$200 be made towards the running of the Bourke "A" Day Bowls Tournament to be held in September 2013	Completed

268/2013 – Community Contribution – Louth Christian Church Incorporated

Responsible Officer: MCS

DECISION	ACTION TAKEN
A report be bought back to Council with additional information	Waiting on further information

269/2013 – Reappointment of Volunteer Controller

Responsible Officer: GM

DECISION	ACTION TAKEN
Letter of congratulations to be sent to Steve Walsh on his reappointment as Local Controller for the SES	Completed

270/2013 – Acknowledgement of the Late Ian William Armstrong

Responsible Officer: MT&D

DECISION	ACTION TAKEN
To be discussed further at the Town Committee Meeting, possible methods of formally acknowledging the late Ian William Armstrong's contribution to the community of Bourke	General Manager in discussions with the Health Service Manager

274/2013 – 2013 NSW Local Government Aboriginal Network Conference

Responsible Officer: MANEX

DECISION	ACTION TAKEN
That a staff member be encouraged to attend the 2013 NSW Local Government Aboriginal Network Conference	No staff member available to attend

Recommendation:

That the information in the Business Arising as presented to Council on Monday, 26th August 2013 be received and noted.

ENGINEERING SERVICES REPORT

File No:	T6.1, T6.2
Report: 115 /2013	Street Tree Replanting Plan
Responsible Officer:	Peter Brown, Manager Works

Background

The draft Street Tree Replanting Plan was presented to the Town Committee on Wednesday the 7th August 2013 after having been on public exhibition for 28 days.

The committee recommended the adoption of the Plan.

Report

Submission were received by Council from Robert Stutsel and the Garden Club,

The information and suggestions contained within in both submissions was noted and will be taken into consideration in the implementation of the Plan.

Recommendation

That the street Tree Replanting Plan as submitted be adopted.

File No:	T6.2
Report: 116/2013	Draft Parks & Garden Management Plan
Responsible Officer:	Peter Brown, Manager Works

Background

The Draft Parks & Gardens Management Plan was presented to the Town Committee on the 7th August 2013 having been previously placed on public exhibition for 28 days.

A submission was received from Robert Stutsel in relation to the Plan.

Report

At the Town Committee meeting it was recommended that a Procedure Manual be drawn up and become an attachment for the Park & Gardens Management Plan.

The Procedure Manual has been completed will be an attachment of the plan to provide guidance and clarity to those responsible for the implementation of the Plan and ensure that it meets the needs of the community's recreational areas.

Recommendation

- 1. That the Draft Parks & Gardens Management Plan be adopted.**
- 2. That the procedures be included as an Attachment to the Plan.**

File No:	T6.2
Report: 117/2013	Request for Tree Removal
Responsible Officer:	Peter Brown, Manager Works

Report

Council has received a letter from the proprietors of Diggers on the Darling concerning the Jacaranda trees in Sturt Street in front of their premises.

In the last two weeks on two separate occasions there have been incidents where cars windows have been smashed at the premises.

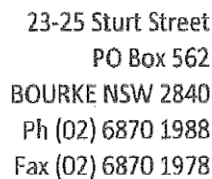
The owner is currently seeking quotes on security cameras to be installed to secure Diggers on the Darling.

The owner has asked that the Jacaranda trees be removed and replaced by more suitable trees.

The need for improved surveillance around this business, due in particular, to the operation hours, is understood as instances such as occurred can have a detrimental impact.

Recommendation

- 1. That Council consider the removal of the trees, in line with the current budgetary provisions.**
- 2. That if the trees are to be removed that they be replaced with suitable trees in an advanced stage of growth and the proprietors be asked to care for the trees.**



File No:	
Doc No:	5112
- 8 AUG 2013	
NAME	MAYOR
DATE	1800
TIME	DATE
TIME	18

This is Page 14 of 106 of the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9am.

GENERAL MANAGER'S REPORT

File No:	P4.1, P4.5.1
Report: 339/2013	Revision of Code of Meeting Practice
Responsible Officer:	Ross Earl, General Manager

Background:

The Local Government Act 1993 provides as follows

360 Conduct of meetings of councils and committees

- (1) The regulations may make provision with respect to the conduct of meetings of councils and committees of councils of which all the members are councillors.*
- (2) A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.*
- (3) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.*

361 Preparation, public notice and exhibition of draft code

- (1) Before adopting a code of meeting practice, a council must prepare a draft code.*
- (2) The council must give public notice of the draft code after it is prepared.*
- (3) The period of public exhibition must not be less than 28 days.*
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.*
- (5) The council must publicly exhibit the draft code in accordance with its notice.*

362 Adoption of draft code

- (1) After considering all submissions received by it concerning the draft code, the council may decide:*
 - (a) to amend those provisions of its draft code that supplement the regulations made for the purposes of section 360, or*
 - (b) to adopt the draft code as its code of meeting practice.*
- (2) If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.*

363 Amendment of the code

A council may amend a code adopted under this Part by means only of a code so adopted.

364 Public availability of the code

- (1) The code of meeting practice adopted under this Division by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.*

- (2) *Copies of the code must be available free of charge or, if the council determines, on payment of the approved fee.*

Current Situation:

Council has a Code of Meeting Practice and the opportunity has been taken to update the code and the proposed amended Code also incorporate references to the relevant sections and clauses of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The revised code incorporates the provisions of the existing code with no significant changes.

The code is effectively based on the legislative requirements with only a few discretionary items.

Discretionary areas include the setting of the day, time and place of ordinary meetings and the period of time prior to the meeting when the business papers should be available to Councillors. Both the amended and previous codes provide for the business paper to be available five (5) days prior to the meeting of Council.

A copy of the proposed amended Code of Meeting Practice is attached.

Financial Implications:

No significant Implications

Recommendation:

1. **That Council resolve to advertise the Draft Code of Meeting Practice in accordance Section 361 of the Local Government Act 1993.**
2. **That after the statutory advertising period that the matter be again presented to Council together with any submissions received during the period of public notice**

File No:	P4.1, P4.5.1
Report: 340/2013	Payment of Expenses and provision of facilities for Mayor and Councillors
Responsible Officer:	Ross Earl, General Manager

Background:

The legislative requirements for the payment of expenses and the provision of facilities for Councillors are detailed below and have to be reviewed on an annual basis.

In addition to the legislative provisions The Division of Local Government has also developed guidelines to assist Councils in the development of their individual policies. These guidelines have been produced under section 23A of the Local Government Act 1993.

The revised policy incorporates the broad provisions of the existing policy and takes into consideration the provisions of the guidelines

252 Payment of expenses and provision of facilities

- (1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) A council may from time to time amend a policy under this section.*
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:*
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and*
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and*
 - (c) a copy of the notice given under subsection (1).*
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.*

254 Decision to be made in open meeting

The council or a council committee all the members of which are councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

Financial Implications

Council budget provides for the payment of expenses and the provision of facilities for Council and the revised policy will not result in the need for additional funding to be provided.

Current Situation:

While Council has a policy in relation to the payment of expenses and the provision of facilities and the opportunity has been taken to review the policy in accordance with the legislative provisions and the guidelines issued by the Division of Local Government.

Recommendation:

1. That Council give public notice of its intention to adopt the revised policy in relation to the payment of expenses and provision of facilities to Councillors.
2. The after the expiration of the statutory advertising period the Council again review the policy and after considering any submission received during the period of public exhibition.

File No:	L8.10, A3.23
Report: 341/2013	Deed of Agreement with Brewarrina and Walgett Shires under Section 355 of the Local Government Act 1993
Responsible Officer:	Ross Earl, General Manager

Background:

The Mayors, Deputy Mayors and General Managers of Bourke, Brewarrina and Walgett Shires met in Brewarrina on the 5th August 2013 to discuss the three Councils entering into an agreement in relation to the formalisation of a shared approach to the provision of services involving each of the councils where economies of scale and resultant efficiencies can be demonstrated.

Current Situation:

The General Managers were asked to prepare a Draft Agreement Document that commits each of the Councils to further evaluate the concept of a co-ordination Group.

The draft document was presented to a meeting of the Mayors and General Managers of each of the Councils in Brewarrina on Monday 19th August 2013 where it was agreed to refer the draft agreement to the Councils for review and endorsement

It should be noted that Mayor Andrew Lewis was unable to attend the meeting and Deputy Mayor Barry Hollman attended on his behalf.

A copy of the draft agreement is attached. It should be noted that the agreement provides for the maintenance of the levels of employment in each of the towns with the opportunity for increased employment opportunities and career advancement.

Financial Implications:

The concept is based on the premise that savings and efficiencies will result from each Council. It also provides for the greater involvement of Councils in the delivery of services provided by the State and Federal Government and associated agencies.

In the initial stages the work involved will be undertaken in house.

Recommendation:

1. That Council review the draft agreement as presented.
2. That council recommend any proposed amendments.
3. That Council nominate a Councillor delegate and an alternate delegated to represent Council along with the Mayor on the Committee.
4. That authority be delegated to the Mayor, Deputy Mayor and General Manager to finalise and endorse any amendments to the draft document.
5. That the once finalised the document be signed by the Mayor and General Manager on behalf of Council.

File No:	P4.1.4
Report: 342/2013	Appointment of Persons to Councils Code of Conduct Review Committee
Responsible Officer:	Ross Earl, General Manager

Background:

Under the provisions of section 440 of the Local Government Act 1993 Council is required to adopt a Code of Conduct that is consistent with the Model Code developed and distributed by the Division of Local Government. Council adopted the Model Code as its Code of Conduct at the January Meeting.

Under the Code of Conduct, Council is required to appoint a panel of suitably qualified of Code of Conduct Reviewers.

At the January Meeting it was further resolved that Council would join with the other members of Orana Regional Organisation of Councils (OROC) in calling for applications from persons/organisations to undertake the role of Code of Conduct Reviewers.

Current Situation:

Accordingly, Expressions of Interest were called by OROC. On the closing date, twenty two (22) applications were received covering twenty five (25) applicants (with three (3) solicitors/investigative firms nominating two applicants each). Refer below.

SCHEDULE 1

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Matthew	Rodgers	MR Business Solutions	\$77	\$99	Sole Trader
Graham	Church	TianandDi Pty Ltd (Hornsby)	\$88	\$110	Company
Fayez	Nour	Fayez Nour (Edensor Park)	\$140 (ex)	\$155 (ex)	Company
Chris	Gallagher	Chris Gallagher (Bateau Bay)	\$150 (ex)	\$200 (ex)	Sole Trader
Lee	Downes	Investigation	\$175	\$200	Company

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Peter	Mulhall	Associates Australia (Liverpool)			
Jerome	McClintock	McClintock Lawyers Dungog	\$180	\$240	Sole trader
Gina	Vereker	Big Dog Planning Pty Ltd	\$198 (incl)	\$242 (incl)	Company
Mark	Pigram	TQC Solutions (Westmead)	\$200 (inc)	\$240 (ex)	Not supplied
Andrew	Fletcher	Andrew Fletcher Consulting (Bathurst)	\$200 (ex)	\$200 (ex)	Sole trader
Shane	Boyd	Internal Audit Bureau of NSW (Darlinghurst)	\$200-220 (ex)	\$200 (ex)	NSW Government Entity
Norman	Mann	Norman Mann (Bathurst)	\$222 (inc)	\$222 (inc)	-
Monica	Kelly	Prevention Partners	\$230 (ex)	\$230 (ex)	Sole Trader
Bruce	Clarke	Allygroup Pty Ltd (Sydney CBD)	\$230	\$230	Company
Jason	Masters	Allygroup Pty Ltd (Sydney CBD)	\$230	\$230	Company
Greg	Waters	MMS Pty Ltd (Sydney)	\$240 (inc)	\$240 (inc)	Company
Jennifer	Hilmer	Jennifer Hilmer (Mosman)	\$230 (ex)	\$230 (ex)	Not supplied
Kathy	Thane	Train Reaction Pty Ltd (Balmain)	\$240 (ex)	\$250 (ex)	Company
Greg	Wright	Wright Associates (Picton)	\$240 (ex)	\$240 (ex)	-
Robyn	Bartlett	Robyn L Bartlett	\$275	\$295	Sole Trader
Kath	Roach	Sinc Solutions (Glebe)	\$280 (ex)	\$260 (ex)	Company
Kelvin	Kenney	O'Connor Marsden & Associates (Sydney CBD)	\$285 (ex)	\$285 (ex)	Company
Paul	Crennan	Crennan Legal (Bathurst)	\$350 (ex)	\$350 (ex)	Company

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Jennifer	Wyborn	Meyer Vandenberg Lawyers	\$495	n/a	P/ship
Greg	Brackenreg	Meyer Vandenberg Lawyers (Sydney CBD)	\$495	\$2400/day	P/ship

Following a meeting of OROC members, it was determined that the applications be reviewed and determined by a group comprising Dubbo City Council's General Manager, Mark Riley, Narromine Shire Council's General Manager, Greg Lamont, OROC Executive Officer, Belinda Barlow and Dubbo City Council's Manager Administrative Services, John Etccl.

This group met to review each application based on the following core services and additional requirements as advertised by OROC when Expressions of Interest called:

- An understanding of local government.
- A demonstrated experience in, and knowledge of, investigative processes including, but not limited to, procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994.
- An understanding of the Model Code of Conduct for Local Councils in NSW 2013 and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2013 and other relevant applicable Legislation including but not limited to the Local Government Act 1993.
- Knowledge and experience of one or more of the following: law, investigations, public administration, public sector ethics, or alternative dispute resolution.
- Not precluded from eligibility as a "conduct reviewer" under Clause 3.6 of the Procedures for Administration of the Model Code of Conduct for Local Councils in NSW 2013.
- Independence and freedom from contractual arrangements in relation to local councils in the OROC region.
- The ability to prepare a report to Councils on the investigations, findings and recommendations.
- The ability to provide the service at a high standard, which reflects value for money.
- The ability to communicate effectively and work in partnership with officers of Council.
- The ability to provide flexibility and availability of time whenever an assessment or investigation as required.
- The ability to travel throughout the OROC region, the Councils of Bogan, Bourke, Brewarrina, Cobar, Coonamble, Gilgandra, Narromine, Walgett, Warren, Warrumbungle and Dubbo City being the constituent councils of OROC.

Following consideration by the group, based on the above criteria, the following were considered to be appropriate appointees to the Panel of Conduct Reviewers.

SCHEDULE 2

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Chris	Gallagher	Chris Gallagher (Bateau Bay)	\$150 (ex)	\$200 (ex)	Sole Trader
Lee	Downes	Investigation Associates Australia (Liverpool)	\$175	\$200	Company
Peter	Mulhall				
Mark	Pigram	TQC Solutions (Westmead)	\$200 (inc)	\$240 (ex)	Not supplied
Andrew	Fletcher	Andrew Fletcher Consulting (Bathurst)	\$200 (ex)	\$200 (ex)	Sole Trader
Norman	Mann	Norman Mann (Bathurst)	\$222 (inc)	\$222 (inc)	Sole Trader
Monica	Kelly	Prevention Partners	\$230 (ex)	\$230 (ex)	Sole Trader
Kathy	Thane	Train Reaction Pty Ltd (Balmain)	\$240 (ex)	\$250 (ex)	Company
Greg	Wright	Wright Associates (Picton)	\$240 (ex)	\$240 (ex)	Company
Kath	Roach	Sinc Solutions (Glebe)	\$280 (ex)	\$260 (ex)	Company
Kelvin	Kenney	O'Connor Marsden & Associates (Sydney CBD)	\$285 (ex)	\$285 (ex)	Company
Paul	Crennan	Crennan Legal (Bathurst)	\$350 (ex)	\$350 (ex)	Company

It is reasonable to say that each of the applicants who submitted their Expression of Interest may be capable of undertaking the tasks associated with the role of a Code of Conduct Reviewer. However, the group reviewed the applications separately and collectively in a subjective manner and eliminated some applicants based on their responses or lack of responses to the above criteria.

Financial Implications:

The undertaking of the appointment of the Code of Conduct Review Panel in conjunction with other members of OROC would have certainly have resulted in significant savings for Council.

Should a Code of Conduct Review panel need to be convened the costs can be significant.

Recommendation:

- 1. That those person as detailed in schedule 2 of this report be appointed as members of the Code of Conduct Review Panel for Bourke Shire Council effective as at 26th August 2013**
- 2. That the previous panel structure be dissolved.**
- 3. That the selection panel be thanked for their contribution to the selection process.**

File No:	G4.1, L7
Report: 343/2013	Local Infrastructure Renewal Scheme (LIRS)
Responsible Officer:	Ross Earl, General Manager

Background:

In December 2012 Council lodged an application for an interest subsidy under the LIRS to be utilised to enable Council to undertake a Storm Water Remediation project with the town of Bourke and advice has been received that Councils application has been successful. (a copy of the letter is attached)

The issue of Storm Water Disposal has been an issue within Bourke for some time and the opportunity exists to undertake a major project to alleviate in part the problem.

Current Situation:

Council is currently awaiting receipt of the funding agreement which is required to be accepted by the 11th October 2013 with work having to commence prior to 11th October 2014.

Financial Implications:

The LIRS subsidy is a three percent subsidy on the interest payable in respect of loan funds raised to undertake the proposed drainage works. Current borrowing rates are in the vicinity of 6% so the net result would effectively borrowing at 3%.

The project submitted involved expenditure of \$550,000 with \$500,000 to be loan funded and \$50,000 to be revenue funded. Both amounts have been included in this year's budget.

The \$50,000 will be utilised to fund the scope of works that will be required to ensure that Council receives best value for money. It would appear that there has been a considerable amount of work already been undertaken and the funding of the scope of works will hopefully be a consolidation of that work and then preparing the necessary plan for the work to be undertaken.

Recommendation:

- 1. That Council formally accept the funding provided under Round 2 of the LIRS.**
 - 2. That Council undertake the scope as works as provided to identify the works that will provide the greatest benefit for Bourke.**
-

File No:	R8.4
Report: 344/2013	Roads and Maritime Services Agency Agreement
Responsible Officer:	Ross Earl, General Manager

Background:

Council had previously, made representation to the Roads and Maritime services regarding the level of remuneration being received to undertake the agency role on their behalf in Bourke.

Together with the Manager of Corporate Services Leonie Brown I attended a meeting convened by the Roads and Maritime Services to discuss the matter at Nyngan in conjunction with a number of other Councils. Leonie and I again met with the Roads and Maritime Services in Bourke to discuss the funding specifically in relation to Bourke.

Current Situation:

The negotiations were cordial and frank with the Roads and Maritime Services acknowledging the costs for Council and have agreed to increase the time allowed for general administration each day and have also provided an additional monthly fee.

The increase in fees will result in additional income of \$30,000.

Financial Implications:

The additional \$30,000.00 negotiated will be incorporated into the 2013/2014 budget and serve to reduce the deficit projected during the adoption of the Operational Plan for 2013/2014

Recommendation:

That Council note the outcome of negotiations will the Roads and Maritime Service in respect of the remuneration provided for the operation of their agency services in Bourke

File No:	V1.1, V1.5, V1.7, C6.33
Report: 345/2013	Community Meetings
Responsible Officer:	Ross Earl, General Manager

Background:

Earlier this year Council undertook a series of community meetings which included Bourke, Byrock, Engonnia, Fords Bridge, Louth and Wanaaring. Those meeting were in part related to the revision of Councils Community Strategic Plan as well as providing the opportunity for the residents to raise concerns with Councillors and Senior Staff and provided a valuable forum.

Current Situation:

The Australian Electoral Commission has advised that remote polling will take place for the Federal Election at the Louth Park on Wednesday 4th September 2013 from 10.30am to

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

2.00p.m. and in Wanaaring next to the Outback Inn on Thursday 5th September 2013 between 11.00am and 2.30p.m.

The opportunity has been taken to schedule community meetings on the mornings of both these days

Financial Implications:

Council's 2013/2014 Operational Plan provides for funding for visits to the villages by Councillors and Staff. While there will some other costs involved these are relatively minor.

Recommendation:

1. That Council note the dates of the proposed community meetings
2. That Councillors who wish to attend notify the office on or before Monday 2nd September 2013

File No:	P4.5.1, P4.2.11
Report: 346/2013	Bourke Shire Council Privacy Management Plan
Responsible Officer:	Ross Earl, General Manager

Background:

The *Privacy and Personal Information Protection Act 1998* (the "PPIPA") requires all councils to prepare a Privacy Management Plan outlining their policies and practices to ensure compliance with the requirements of that Act and the *Health Records and Information Privacy Act 2002* (the HRIPA).

In particular, the object of this plan is to inform:

- The community about how their personal information will be used, stored and accessed after it is collected by the Council; and
- Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

Current Situation:

The Policy presented to Council is based on the model document that was provided by the Division of Local Government.

Financial Implications:

Council has an obligation to ensure that staff are aware of their responsibilities in relation to the maintenance of privacy and that it provide appropriate training to those employees whose daily duties involve the handling of such information.

The current Operational Plan for 2013/2014 provides adequate provision for Council to meet the requirements under the Plan

Recommendation:

That Council adopt the Privacy Management Plan as presented to the meeting

File No:	
Report: 347/2013	Bourke Shire Council Business Continuity Plan
Responsible Officer:	Ross Earl, General Manager

Background:

Bourke Shire Council's Business Continuity Plan was initially prepared by Council staff in 2009 in consultation with Echelon the Risk Management arm of Statewide Insurance.

Whilst some updates to the plan had occurred since that time the Business Continuity Plan had not been subject to a comprehensive review which has now incurred.

Current Situation:

The revised Plan will be made available to all staff that have been identified as having a role to play in the situation when the plan would need to be activated. Copies of the plan will also be made available at strategic locations within the Shire area.

Financial Implications:

The revision has been undertaken by Council's Governance Officer in consultation with the MANEX Team and Risk Officer with costs being borne out of existing budgetary provisions.

The Financial risk of not having a plan are considered to be significant as are the risks generally to the wider community with the plan detailing the method proposed for the ongoing and emergency operation of Council if one of a number of events were to occur.

Recommendation:

That Council note the report on the Business Continuity Plan for Bourke Shire Council and the report can be made available to Councillors at their request.

File No:	M2.1, C11.1, C11.12
Report: 348/2013	Tour De OROC- Charity Bike Ride by Mathew Dickerson Mayor of Dubbo
Responsible Officer:	Ross Earl, General Manager

Background:

The Mayor of Dubbo Mathew Dickerson is undertaking a charity bike ride to raise funds for the new accommodation to be built at the redeveloped Dubbo Hospital to allow patients and family members to stay whilst getting treatment.

He is calling the ride " Toyota Tour de OROC"

A significant portion of patients utilizing the facilities at Dubbo Hospital reside outside Dubbo City Council area and many reside in the geographic area covered by the Councils who make up the membership of OROC and Councillor Dickerson will embark on a ride starting on the 7th October 2013 and finish on 12th October 2013 that will see him visit all

the Local Government areas with OROC with the exception of Wellington who joined OROC after this ride was planned

The ride from the Brewarrina Shire Boundary is scheduled to commence at around 2.30pm on the 9th October 2013 and arrive at the Council chambers in Bourke at around 5.00pm. The riders will stay overnight in Bourke before leaving the next morning at 8.30 am with the boundary with Cobar to be reached at around midday on the 10th October 2013.

He is encouraging the Mayors of Councils to join him on the ride from the shire boundary of each Council through the main street of each town where the Council chambers is located and then to the boundary of the next local government area.

If the Mayor is unable to commit to the whole trip through the area then he hopes the Mayor would do, as a minimum, the trip down the main street and nominate someone to undertake the balance of the ride on their behalf.

Glen Curtis has agreed to the Mayor's nominated rider for the Brewarrina Shire to Bourke Leg of the ride and negotiations are in hand for the rider for the leg to the Cobar Boundary

The Mayor Andrew Lewis will be riding the last 10 kilometres of the trip from Brewarrina Shire.

The Member for Parkes Mark Coulton has indicated that he will accompany Mathew on the entire ride.

A number of people have indicated that they would ride with Mathew and the other riders as they come into town.

Councillor Dickerson hopes to raise \$100,000.00 for the building project and has already secured \$27,500.00 via sponsorship and entry fee of \$2000.00 from 5 of the 10 riders who will accompany him. Toyota agreed to sponsor the ride in an amount of \$10,000.00.

As part of the ride a function will be held at lunch time or in the evening to raise money for the ride with the hope that \$5000.00 could be raised in each town.

There will be approximately 15 people in the party including the riders and the drivers of the support vehicles.

Current Situation:

To enable the maximum amount of money to be raised for the hospital Mathew was hoping to get donations for accommodation on the overnight stops either by way of donations from motels or billets.

We currently have secured approximately half the accommodation required.

The Rotary Club of Bourke through their President Phil Johnston have agreed to work with the Shire to assist in the coordination of the event and a trivia night is planned for the 18th

September 2013, donation tins will be placed around Bourke and a informal fundraising dinner will be held on the night of the 9th October 2013 when the riders are in town.

The Trivia Night has been in part sponsored by Warrego Gypsum

As an additional part of the ride Mathew Dickerson is hoping to break the record for the most sponsorship logos on the shirts and has been liaising with the Guinness Book of Records in this regard. He needs 40 sponsors and has asked whether Council would like to add their sponsorship to the ride.

He has also asked if Council would distribute the sponsorship proposal he has prepared.

A copy of the proposal is attached

Financial Implications:

Council may wish to contribute to the sponsorship or leave their sponsorship as “in kind” via the coordination of the ride locally.

Council does provide a small amount in its budget for sponsorship

Recommendation:

1. That Council endorse the involvement of Council staff in the coordination of the activities associated with “the Tour de OROC’
2. That Council sponsors the event at an amount to be determined at the meeting

File No:	A10.4,I2.1
Report: 349/2013	Grandstand Fire at Davidson Oval
Responsible Officer:	Ross Earl, General Manager

Background:

At approximately 4.15pm on Wednesday 14th August 2013 the Local Fire and Rescue Team were called to a fire within the Grandstand at Davidson Oval. The Bourke Fire and Rescue Unit was support by members of the Rural Fire Service.

The fire was extinguished relatively quickly but not before it had caused considerable damage to the seating. There was some difficulty in being able to access the fire source and a number of sheets of metal had to be removed to facilitate access.

Current Situation:

Once the fire was extinguished the area was secured by Council staff and access to the Oval restricted by the locking of the gates.

Attached to the grandstand is the switch boards for the lights, toilets and canteen and all had to be isolated.

The flood lights were able to be recommissioned to enable the local teams to be able to train for their finals matches

Council insurers were contacted on Thursday morning and an assessor was in town at 10.00am on Friday and was accompanied to the site by the Manager of Works and myself.

The assessor will be recommending that the grandstand is inspected by a structural engineer and also that the electricity work that is required be able to be undertaken in isolation to the other repairs.

It is difficult to put a figure on the cost of repairs but early indications are that they will cost well in excess of \$100,000.00.

Fortunately the equipment that belonged to the Rugby Union Club was at the home dressing shed and the fire was above the visitors dressing shed or the end closet to Martin Street.

At this stage it has not been determined if the complex will be able to be utilised for the upcoming events but hopefully with the repairs to the electrical this will be the case.

The police have charged someone in relation to the incident.

Whilst the grandstand itself will be out of action for some time staff will be working towards ensuring that the remainder of the facilities are able to be utilised as quickly as possible.

Financial Implications:

The repairs to the grandstand will be covered under Council's Insurances, save for the excess.

Negotiations will take place regarding the need to provide temporary facilities at the Oval to be used for the upcoming Rugby finals and the Ronnie Gibbs Carnival.

Some costs may be involved in the provision of temporary facilities.

Recommendation:

That the information in regards to the Grandstand fire be received and noted.

File No:	P4.2
Report: 350/2013	Delivery Plan Fourth Quarter review
Responsible Officer:	Ross Earl, General Manager

Enclosed is the fourth quarter review of Bourke Shire Council's Delivery Plan for 2012-2013. The report highlights the progress made towards the actions as indicated in our Community Strategic Plan.

The report highlights that 101 of the 185 planned actions for the financial year have been completed which is an overall pleasing result.

Of particular note is the ongoing work within the Roads section of the Council and the completion of all delegated works during the financial year and the near completion of the Deadman's Creek Bridge. The Plant Replacement Program was completed ahead of time and approximately \$4.5 million of RMCC work undertaken.

Within the Environmental section special mention should go to the ongoing maintenance being undertaken at the cemetery, the excellent manner in which the waste management facility is maintained and the completion of the LEP process. It was also pleasing to finalise works to the cenotaph and the main streets program generally and after some delay complete the works on the Warraweena Street well.

The Delivery Plan also highlights the amount of compliance that is required by all Council staff and the processes that are undertaken. The ongoing good work of Council staff is demonstrated by a number of positive reports throughout the year.

It is clear on review of this report that there needs to be additional resources allocated to undertake reports required and strategy updates in some areas. These areas will be reconsidered and if the works are considered more urgent then additional funds will need to be found.

I recommend the report to Councillors and encourage any questions that you may have.

Recommendation:

That the Report on the Delivery Plan fourth Quarter Review be received and contents noted.

CORPORATE SERVICES DEPARTMENT REPORT

File No:	F1.1
Report:442/2013	Bank Reconciliation & Statement of Bank Balances
Responsible Officer:	Leonie Brown, Manager Corporate Services

Bank Reconciliation for the period ending 31.7.2013

Balances as per Bank Statement	711,691.55
Plus: Deposit not shown	6,513.78
Less: Unpresented Cheques	523,383.76
Less: Unprocessed EFTPOS	595.70
Balance as per Cash Book	194,225.87

Reconciled Ledger Accounts as at 2011

Fund or Account	Current Balance	Overdraft Statutory Limit
General	5,401,179.46	5,345,500.00
Water	2,551,294.37	
Sewer	1,933,606.56	
Trust	94,655.82	
Total Funds	9,980,736.21	

Investments as at 31.7.2013

National Australia Bank	2,357,457.16	4.23%	181 Days	A1+
National Australia Bank	1,200,000.00	4.35%	184 Days	A1+
National Australia Bank	609,054.25	4.35%	184 Days	A1+
National Australia Bank	589,818.16	4.1%	90 Days	A1+
National Australia Bank	1,200,000.00	4.1%	150 Days	A1+
National Australia Bank	468,056.31	4.1%	120 Days	A1+
National Australia Bank	1,000,000.00	4.06%	122 Days	A1+
National Australia Bank	1,047,534.73	4.05%	122 Days	A1+
National Australia Bank	314,589.73	4.1%	183 Days	A1+
National Australia Bank	1,000,000.00	4.1%	122 Days	A1+
Total Investments	9,786,510.34			

In accordance with Clause 212 of the Local Government Act (General) Regulation 2005 is certified that the above investments have been made under Sec 625 of the Local Government Act and Council's Investment Policy.

Reconciliation at 31.7.2013

Balance as per cash book	194225.87
Investments	9,786,510.34
Total, equalling Reconciled Ledger	9,980,736.21

Statement of Bank Balances as at 31.7.2013

	Balance	Transaction	Balance
	30.6.2013		31.7.2013
General Fund	6,377,753.78	-976,574.32	5,401,179.46
Water Fund	2,572,061.58	-20,767.21	2,551,294.37
Sewer Fund	1,932,736.81	869.75	1,933,606.56
Trust Fund	96,321.67	-1,665.85	94,655.82
Investments	-10,186,510.34	400,000.00	-9,786,510.34
Totals	792,363.50	-598,137.63	194,225.87

Balance of all Funds as at 30.6.2013

792,363.50

Add Receipts for	
(a) Rates	218,266.05
(b) Other Cash	1,324,254.75
Deduct payments for	
(a) Paid since last meeting	2,137,558.16
(b) New Investment	3,100.27
Balance as at 31.7.2013	194225.87

Recommendation:

Council resolves that the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 31.7.2013 be noted.

Leonie Brown

MANAGER OF CORPORATE SERVICES

File No:	F1.1
Report:443/2013	Investment Report as at 31st July 2013
Responsible Officer:	Leonie Brown, Manager Corporate Services

Introduction

Under the Local Government Act 1993 and Local Government (General) Regulation 2005, the Responsible Accounting Officer is required to report on Council's Investment portfolio on a monthly basis.

Background

The report is submitted monthly to Council

Issues

- Investments are in accordance with Division of Local Government Guidelines and Council's Investment Policy
- Statutory obligations are being met
- Councillors roles as resource allocators and policy directors are satisfied

Assessment

1. Legal Implications Including Directives and Guidelines

Local Government Act 1993

Local Government (General) Regulation 2005

The management of Council's investments is delegated by the General Manager to the Manager Corporate Services.

2. Financial Implications/Consideration

The 2013/2014 Budget estimates the total investment revenue as \$315,000 which represents an estimated return of 3.5%. This revenue is split proportionally across General, Water and Sewer Funds and changes on a monthly basis in accordance with cashflow requirements.

The market value of Council's Investments held as at 31st July is. \$9,786,510.34.

Investment income earned as at 31st July 2013 is \$3,100.27.

3. Policy Provisions – Council Policy and Procedure

Policy 1.8.10 – Investment Policy adopted 28th May 2012.

Ministerial Investment Order – 12th January 2011

4. Strategic Implications – Implications For Long Term Plans/Targets

Funds are invested in accordance with identified cash flow requirements

Investment Portfolio

Council's current Investment Portfolio is as follows

Term Deposits

Investments as at 31.7.2013

National Australia Bank	2,357,457.16	4.23%	181 Days	A1+
National Australia Bank	1,200,000.00	4.35%	184 Days	A1+
National Australia Bank	609,054.25	4.35%	184 Days	A1+
National Australia Bank	589,818.16	4.1%	90 Days	A1+
National Australia Bank	1,200,000.00	4.1%	150 Days	A1+
National Australia Bank	468,056.31	4.1%	120 Days	A1+
National Australia Bank	1,000,000.00	4.06%	122 Days	A1+
National Australia Bank	1,047,534.73	4.05%	122 Days	A1+
National Australia Bank	314,589.73	4.1%	183 Days	A1+
National Australia Bank	1,000,000.00	4.1%	122 Days	A1+
Total Investments	9,786,510.34			

Percentage of Total Portfolio 100 %

Average Investment Yield 4.15%

Portfolio Performance

The average 90 day BBSW (Bank Bill Swap Rate) as at the 31st July 2013 was 2.84% whilst the 11 am Cash Rate was 2.75%.

Discussions/Comments

The Investment portfolio decreased by \$400,000 during the period.

The investment portfolio is invested in term deposits with the National Australia Bank. The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk.

The Government Guarantee on Investments up to \$1 million dollars has now expired and the new cap of \$250,000 has replaced the scheme.

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

Recommendation

Council resolves:

- 1. That the report regarding Council's Investment Portfolio as at 31st July 2013 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.**

File No:	F1.4.6
Report:444/2013	Financial Statements
Responsible Officer:	Leonie Brown, Manager Corporate Services

Financial Statements – 30th June 2013

Local Government Act 1993 (LGA)

(1) A Council must prepare financial reports for each year, and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1)) after the end of that year.

Note. Under section 416 (1), a Council's financial reports for a year must be prepared and audited within 4 months after the end of the year concerned, and under section 428 (2) (a) the audited financial report must be included in the Council's annual report. [Section 413, LGA]

Time for preparation and auditing of financial reports

A Council's financial reports for a year must be prepared and audited within the period of 4 months after the end of that year. [Section 416, LGA]

Public notice to be given of presentation of financial reports

(1) As soon as practicable after a Council receives a copy of the auditor's reports:

- (a) it must fix a date for the meeting at which it proposes to present its audited financial reports, together with the auditor's reports, to the public, and
- (b) it must give public notice of the date so fixed.

(2) The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the auditor's reports are given to the Council.

Note. Unless an extension is granted under section 416, the meeting must be held on or before 5 December after the end of the year to which the reports relate.

(3) The public notice must include:

- (a) a statement that the business of the meeting will include the presentation of the audited financial reports and the auditor's reports, and
- (b) a summary, in the approved form, of the financial reports, and
- (c) a statement to the effect that any person may, in accordance with section 420, make submissions (within the time provided by that section and specified in the statement) to the Council with respect to the Council's audited financial reports or with respect to the auditor's reports.

(4) Copies of the Council's audited financial reports, together with the auditor's reports, must be kept available at the office of the Council for inspection by members of the public on and from the date on which public notice of the holding of the meeting is given and until the day after the meeting (or any postponement of the meeting). [Section 418, LGA]

Presentation of the Council's financial reports

(1) A Council must present its audited financial reports, together with the auditor's reports, at a meeting of the Council held on the date fixed for the meeting. [Section 419, LGA]

Recommendation:

Council resolves

- 1. To refer the Financial Reports as at 30th June 2013 for Audit.**
- 2. To notify the public that the Financial Reports and Audit Report will be formally presented to Council at the next available Council meeting after the Audit and Financial Reports are received and notice has been given.**

File No:	F1.4.6
Report:445/2013	Rates & Charges Reconciliation as at 30/06/13 & 01/07/13
Responsible Officer:	Leonie Brown, Manager Corporate Services

Reconciliation of Rates and Charges for the 30th June 2013 and 1st July 2013 are attached for Council's approval for a resolution and Council's Seal.

SHIRE OF BOURKE RECONCILIATION AT 30th June 2013

I hereby certify that the entries in the rate book for the year 2013 have been duly completed, that the rates levied have been checked with the valuations as shown in the valuation books. I further certify that the list of non-rateable properties are exempt by or have been exempted by the Council under the provisions of the Act.

Particulars of the total amount of the levy, of the arrears in respect of each rate and the valuations of which the rates were levied are as follows:

Valuations as at 30th June 2013, determined by Council from the total of the General Valuation list.

LV as per Valuer Generals Supp List	119,586,795.00
Less On Land Allowances	100,950.00
Less Values Non-Rateable	8,960,990.00
Less Heritage Allowance	75,000.00
Total Rateable	110,449,855.00

RECONCILIATION OF RATES LEVIED

Ordinary Rate

LV Rateable to this Rate **As Per The Rate Book.**

Residential - Bourke	7,752,740	At 2.65 Cents in the dollar	205,448.46
		841 Base Amounts X \$110.00	92,510.00
Residential - North Bourke & High St	1,610,000	At 2.60 Cents in the dollar	41,860.00
		69 Base Amounts X \$90.00	6,210.00
Residential - Villages	294,490	At 5.60 Cents in the dollar	16,491.44
		244 Base Amounts X \$30.00	7,320.00
Mines	0	At 5.75 Cents in the dollar	0.00
		0 Base Amounts X \$450.00	0.00
Business	3,262,495	At 2.60 Cents in the dollar	84,824.87
		210 Base Amounts X \$150.00	31,500.00
Farmland - General	86,405,330	At 0.75 Cents in the dollar	648,040.00
		329 Base Amounts X \$450.00	148,050.00
Farmland – Irrigable	11,060,500	At 1.50 Cents in the dollar	165,907.50
		47 Base Amounts X \$450.00	21,150.00
Valuation Changes	-64,300	Part Yr Adjustments/Rounding	0.00
	110,449,855		1,469,312.27

Water Charge

Filtered Water Access Various Sizes	225,859.00
Raw Water Access Various Sizes	567,904.00
Village Water	104,954.00

Sewerage Charge

No. Assessments	
Single 1,064 X \$598.00	636,272.00
Multi 161 X \$598.00	96,278.00

Domestic Waste Management

No. Assessments	
1,103 X \$235.00	259,205.00

Trade Waste Charges

No. Assessments	
463 X \$235.00	108,805.00

Village Tip Charges

No. Assessments	
167 X \$80.00	13,360.00

Drainage Charge

No. Assessments	
1,065 X \$145.00	154,425.00

Particulars of the total amount of rates and charges and of arrears in rates and charges are as follows:

	ARREARS AT 30/06/13	RATES AND CHARGES 2012/2013
General Rates	137,519.38	1,469,312.27
Water Charges	179,181.42	898,717.00
Sewer Charges	145,651.96	732,550.00
Garbage Charges	61,716.56	381,370.00
Drainage Charges	31,632.12	154,425.00

The Common Seal of the Council of
The Shire of Bourke was here unto
Affixed the 26th Day of August 2013
In pursuance of the resolution
passed at the meeting held on 26th
Day of August 2013.

COUNCILLOR

GENERAL MANAGER

**SHIRE OF BOURKE
RECONCILIATION AT 1st July 2013**

I hereby certify that the entries in the rate book for the year 2014 have been duly completed, that the rates levied have been checked with the valuations as shown in the valuation books. I further certify that the list of non-rateable properties are exempt by or have been exempted by the Council under the provisions of the Act.

Particulars of the total amount of the levy, of the arrears in respect of each rate and the valuations of which the rates were levied are as follows:

Valuations as at 1st July 2013, determined by Council from the total of the General Valuation list.

LV as per Valuer Generals Supp List	119,586,795.00
Less On Land Allowances	100,950.00
Less Values Non-Rateable	8,960,990.00
Less Heritage Allowance	75,000.00
Total Rateable	110,449,855.00

RECONCILIATION OF RATES LEVIED

Ordinary Rate

LV Rateable to this Rate as **Per The Rate Book**.

Residential - Bourke	7,656,040	At 2.74 Cents in the dollar	209,775.50
		832 Base Amounts X \$114.00	94,848.00
Residential - North Bourke & High St	1,625,000	At 2.69 Cents in the dollar	43,712.50
		68 Base Amounts X \$93.00	6,324.00
Residential - Villages	281,390	At 5.79 Cents in the dollar	16,292.51
		241 Base Amounts X \$31.00	7,471.00
Mines	0	At 5.94 Cents in the dollar	0.00
		0 Base Amounts X \$465.00	0.00
Business	3,591,195	At 2.69 Cents in the dollar	96,603.21
		225 Base Amounts X \$155.00	34,875.00
Farmland - General	88,086,730	At 0.80 Cents in the dollar	704,693.84
		328 Base Amounts X \$465.00	152,520.00
Farmland – Irrigable	9,209,500	At 1.40 Cents in the dollar	128,933.00
		47 Base Amounts X \$465.00	21,855.00
	110,449,855		1,517,903.56

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

Water Charge

Filtered Water Access Various Sizes	232,915.00
Raw Water Access Various Sizes	588,350.00
Village Water	110,839.00

Sewerage Charge

No. Assessments	
Single 1,052 X \$618.00	650,136.00
Multi 169 X \$618.00	104,442.00

Domestic Waste Management

No. Assessments	
1,100 X \$250.00	275,000.00

Trade Waste Charges

No. Assessments	
459 X \$250.00	114,750.00

Village Tip Charges

No. Assessments	
171 X \$83.00	14,193.00

Drainage Charge

No. Assessments	
1,058 X \$150.00	158,700.00

Particulars of the total amount of rates and charges and of arrears in rates and charges are as follows:

	ARREARS AT 30/06/13	RATES AND CHARGES 2013/2014
General Rates	137,519.38	1,517,903.56
Water Charges	179,181.42	932,104.00
Sewer Charges	145,651.96	754,578.00
Garbage Charges	61,716.56	403,943.00
Drainage Charges	31,632.12	158,700.00

The Common Seal of the Council of
The Shire of Bourke was here unto
Affixed the 26th Day of August 2013
In pursuance of the resolution
passed at the meeting held on 26th
Day of August 2013.

COUNCILLOR

GENERAL MANAGER

Recommendation:

Council resolves to give approval to affix Council's Seal to the reconciliation of Rates and Charges for the 30th June 2013 and the 1st July 2013.

File No:	S6.29
Report:446/2013	Pecuniary Interest Returns
Responsible Officer:	Leonie Brown, Manager Corporate Services

Background

The purpose of this report is to remind councillors and designated persons of the necessity to lodge Pecuniary Interest Returns.

A councillor or designated person holding that position on 30th June in any year must complete and lodge a Pecuniary Interest Return by 30th September in that year.

The returns can be inspected by members of the public and assist in ensuring transparency and accountability in Local Government decision-making. The obligation upon councillors and others to returns is as much a protection for them as it is to the community.

Information and blank returns are included with your business paper.

Recommendation

Council resolves to note the information received in relation to Pecuniary Interest Returns.

COMMITTEE MINUTES

File No:	C6.21
Report:709/2013	Report and Recommendations of the Roads and Plant Committee held 7th August 2013
Responsible Officer:	Mark Gordon – Manager Roads

The Roads and Plant Committee held a meeting on Wednesday, 7th August 2013 commencing at 1.00 p.m.

All Councillors received the agenda and reports for that meeting.

The report and recommendations from that meeting are attached.

Recommendation:

That the report of the Roads and Plant Committee held on the 7th August 2013 be received and the recommendations contained therein be adopted.

REPORTS AND RECOMMENDATIONS FROM THE MEETING OF THE ROADS AND PLANT COMMITTEE HELD ON WEDNESDAY, 7TH AUGUST 2013 COMMENCING 1:00PM

ATTENDANCE

Mayor – Cr Lewis – Chair	General Manager, Ross Earl
Deputy Mayor – Cr Hollman	Roads Manager, Mark Gordon
Cr Ford	Roads Supervisor, Scott Parnaby
Cr Stutsel	Plant Foremen, Neil Driscoll
Cr Johnson	Roads Assistant, Matthew McCorkle
	Manager Corporate Services, Leonie Brown
	Executive Assistant/Minutes, Kai Howard

APOLOGIES

The General Manager advised that apologies were received from Cr Brown, Cr Bartley, Cr Bennett, Cr Dorrington and Cr Davis.

Committee Recommendation

That the Committee note the apologies from Cr Brown, Cr Bartley, Cr Bennett, Cr Dorrington and Cr Davis be received and that leave of absence be granted.

Moved Cr Ford

Seconded Cr Johnson

Carried

Declarations of Interest

Cr Lewis declared an interest in the Report Multagoona Station Gate / Grid – Option A

Confirmation of the Minutes

Committee Recommendation

That the minutes of the previous meeting held on Wednesday 8th May 2013 be confirmed.		
Moved Cr Stustel	Seconded Cr Johnson	Carried

File No:	
Report:	Business Arising from Previous Meeting: Status Report
Responsible Officer:	Mark Gordon Manager Roads

Item	Status	Responsible Officer
Nil business arising from 8 th May 2013		

Reports from Staff

File No:	R7.7.8, R7.6
Report:	Multagoona Station Gate / Grid
Responsible Officer:	Mark Gordon Manager Roads

Background

Council has received the following letters regarding the installation of a gate that has been erected over the grid by another property owner.

Residents have requested that the gate be removed as it is a safety issues. The current problem of having people walk across the grid to open the gate poses a significant safety problem. One of the major concerns of the landholder is to be able to ensure that his stock are contained within the property.

Council has a policy for reducing the number of grids across roads. The property owner responsible has been notified to leave the gate open until a suitable alternative is resolved by Council.

Recommendation:

That the matter be for Council's consideration

Committee Recommendation:

- | | | |
|--|----------------------------|----------------|
| <ol style="list-style-type: none"> 1. That a letter be sent to the property owner advising that installation of gates on public roads is illegal without Council approval and that the gates should be removed immediately 2. Council to communicate with neighbouring landholders seeking permission for the removal of the grid and installation of a gate with appropriate signage. 3. That the landowner be made aware of the contribution towards fencing that may be available under Council's Policy in relation to the removal of grids. Policy 3.6.1.(v3) | | |
| Moved Cr Stustel | Seconded Cr Hollman | Carried |

File No:	P3.1
Report:	Plant Foreman's Report
Responsible Officer:	Neil Driscoll, Plant Foreman

Plant No	Description	Work Carried Out
130	Bobcat	Hydraulics leaking and needs seal kit
118	Fuel Trailer	Tank cracking around mounts Fuel pump leaking around couplings
87 & 89	Crew Cab Isuzu Truck	Needs Hydraulic pump fitted to crane Brakes need adjusting Steering column loosens when hit bump Exhaust brake needs fixing Fit new door & mirror
48	Freightliner	Power
56	Mazda BT 50	Engine will not start Needs to be taken back to dealer for repairs (WARRANTY)
204	Pump Trailer	Needs new jockey wheel fitted Light needs repair
156	Vibrating Roller	Needs Service Needs new safety switch fitted
72	John Deere Tractor	Needs 2,000 service
237	B-Double Water Trailer	Brake chambers & brake valves need replacing
8	Toyota Prado	45,000 k service
54	Great Wall	Noise in brakes Tail light needs replacing
32	Isuzu Town Truck	35,000 k service Fix rear mudflaps Check hydraulic air tank
131	12 M Grader	500 hr service Check rear lights
139	950 H Loader	500 hr service
76	Side Tipping Trailer	Air leak when brake applied Fix burnt wire to tail light
60	Freightliner P/Mower	Electrical problem with lights & wipers
135	Volvo Grader	Grader has cylinder head removed for the second time by Volvo fitter. Engine blowing too much smoke and running hot. This grader will be out of service for at least 3 to 4 weeks (WARRANTY)
171	Isuzu Bitumen Truck	Need new alternator (not charging)

The Roads Manager also indicated the following:-

- Tenders in relation to the purchase of a new Low loader will be considered at the August Meeting
- Council will be calling tenders for the purchase of a ERG Class MG8 - Motor Grader, One (1) Backhoe and One Tipper in accordance with the adopted Plant Replacement Programme.
- Culvert blocked up on Lednapper, further investigation to be carried out

File No:	
Report:	Works Supervisor's Report
Responsible Officer:	Scott Parnaby, Works Supervisor

Location	Work Carried Out
MR 404 Bourke - Hungerford	Top Grade completed Approaches completed and sealed at Coonbilly Bridge Pothole patching
MR 405 Bourke – Wanaaring	Top grade completed Pothole patching
MR 421 Bourke -Cobar	Pothole Patching
RLR 1Dunsandle	Top Grade in completed
RLR 12 Multagoona	Gate enquiry
RLR 13 Landsdown	Top Grade completed
RLR 23 Willara – Cuttaburra Crossing	Heavy patch completed and sealed
RLR 26 Mascot	R2R :- Formation grade completed
RLR 27 Burrawantie	Top grade completed
RLR 44 Janina	R2R :-Culvert completed
SH 29 Bourke - Brewarrina	Pothole patching
HWY 7 North Bourke – Barrington	Pothole patching
HWY 7 South Bourke – Bogan	Pothole patching

Committee Recommendation:

Information in the Work Supervisor's Report be noted.		
Moved Cr Hollman	Seconded Cr Stutsel	Carried

Questions on Notice

1. Cr Johnson enquired on when the grading was carried out on gravel roads.

Works Supervisor advised that if there has been rain and there is moisture in the soil and plant available that roads will be graded, otherwise roads are graded dry as required

2. Cr Johnson asked if any further sections of the Wanaaring Road would be sealed.

Roads Manager advised that existing seal will be maintained and that funding will continue to be sought again this year as it is every year for sealing of the Wanaaring Road.

3. Cr Hollman requested if Council seek the answer to “who is able to prosecute drivers for damage to closed roads”

General Manager advised that he would contact the Shires Association for legal advice on “who is able to prosecute drivers who cause damage whilst driving on closed Roads.”

Committee Recommendation:

That the General Manager seek legal advice from the Shires Association on who is able to prosecute drivers who cause damage whilst driving on closed Roads.		
Moved Cr Hollman	Seconded Cr Stutsel	Carried

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

Next Meeting

Next meeting of the Roads & Plant Committee is to be held on Wednesday, 16th October 2013 in the Council Chambers at 1.00pm

There being no further business the meeting closed at 1.55pm

File No:	C6.23
Report:710/2013	Report and Recommendations of the Economic Development and Tourism Committee Meeting held 7th August 2013
Responsible Officer:	Phil Johnson- Manager Economic Development and Tourism

The Economic Development and Tourism Committee held a meeting on Wednesday, 7th August 2013 commencing at 2.00.p.m.

All Councillors received the agenda and reports for that meeting

The report and recommendations of that meeting are attached.

Recommendation:

That the report of the Economic Development and Tourism Committee held on the 7th August 2013 be received and the recommendations contained therein be adopted.

***REPORTS AND RECOMMENDATIONS FROM THE MEETING OF THE ECONOMIC DEVELOPMENT & TOURISM COMMITTEE HELD ON WEDNESDAY, 7TH AUGUST 2013
COMMENCING 2:00PM***

ATTENDANCE

Mayor – Cr Lewis – Chair	General Manager, Ross Earl
Deputy Mayor – Cr Hollman	Manager Tourism & Development, Phil Johnston
Cr Ford	Manager Roads, Mark Gordon
Cr Stutsel	Manager Corporate Services, Leonie Brown
Cr Johnson	Executive Assistant/Minutes, Kai Howard

APOLOGIES

The General Manager advised that apologies were received from Cr's Brown, Bartley, Bennett, Dorrington & Davis.

Committee Recommendation

That the Committee note the apologies from Cr's Brown, Bartley, Bennett, Dorrington & Davis be received and that leave of absence be granted.

Moved Cr Ford

Seconded Cr Johnson

Carried

Declarations of Interest

Cr Johnson declared an interest in the Confidential Report the Operation of the Back O' Exhibition Centre, PV Jandra, Visitor Information Centre and Crossley Engine

Confirmation of the Minutes

Committee Recommendation:

That the Minutes of the of the Previous Economic Tourism & Development Meeting held on 8th May 2013 be confirmed.

Moved Cr Hollman

Seconded Cr Stutsel

Carried

File No:	
Report: /2013	Business arising from previous meeting: Status Report
Responsible Officer:	Phil Johnson Manager Economic Development and Tourism

Item	Status	Responsible Officer
Business opportunities for the region	These continue to be followed up in a confidential manner	MTD

File No:	
Report: /2013	Bourke Business Group
Responsible Officer:	Phil Johnston Manager Economic Development and Tourism

The Bourke Business Group have now met over the past 5 months and have been working towards a number of very worthwhile initiatives. At this time Council continue to support the Group with the assistance of the Manager of Tourism and Development who is acting as a secretariat. To date the group has not been incorporated or formalized but it is expected that this will occur once early activity has been consolidated.

Discussions within the group have included:

- Discussions about shutters and ultimately removal;
- CCTV
- Consultation with Orana Regional Development Australia
- Recycling
- Issues about awnings over public land
- Business promotion
- Christmas Promotion
- The reports of the Independent Local Government Review Panel

We will continue to support the Business Group and I am sure it will be a very positive group in our community.

Bourke Business Group

- Have been meeting monthly, once per week for an hour
- Approximately 20 attendees
- Shutters have been up at the Chemist, GrubbyMicks Café and Bourke Home Hardware at night since the lights have been fixed.
- One of the issues that the business houses have is the lack of recycling

Ambulance Station Update

- Ambulance Station transfer should be soon completed, has been 18 months since the paperwork started for this.

Committee Recommendation:

That the information contained in the Bourke Business Group report be noted.

Moved Cr Stutsel

Seconded Cr Hollman

Carried

File No:	
Report: /2013	Update On Business Opportunities For The Region
Responsible Officer:	Phil Johnston Manager Economic Development and Tourism

A verbal update will be provided by the Manager of Tourism and Development in regards to business opportunities for the region.

That in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the business to be discussed during the meeting is of a kind referred to in section 10(A)(2)(d)(i)- commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and as such should be considered in closed Council.

Committee Recommendation:

That in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the business to be discussed during the meeting is of a kind referred to in section 10(A)(2)(d)(i)- commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and as such should be considered in closed Council.

Moved Cr Stutsel

Seconded Cr Ford

Carried

2.50pm Cr Johnson left the meeting

File No:	T4.3.7
Report: /2013	Operations of the Back O' Bourke Exhibition Centre, PV Jandra, Visitor Information Centre and Crossley Engine
Responsible Officer:	Phil Johnston Manager Economic Development and Tourism

Background

In early 2013 Bourke Shire Councillors asked Council staff to prepare a detailed report in regards to the costs of operating the various Back O' Bourke Experiences and to outline the contributions that each of the entities were making to the overall losses in that Department.

The report was prepared and showed that the actual contribution by Bourke Shire Council to the PV Jandra, Exhibition Centre, Crossley Engine and the Visitor Information Centre was \$233,000.

Initial investigations have indicated that this contribution was consistent with funding provided by neighboring Councils and other Councils of similar and comparable tourism functions and experiences.

Since this time we have had the suggestion from that the operations of all tourist functions could be contracted and undertaken at no cost to Council. A paper to this end was tabled at the May Council meeting and Council have since received additional information in respect of that paper and is referred for consideration.

Committee Recommendation

That in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the business to be discussed during the meeting is of a kind referred to in section 10(A) (2)(d)(i)- commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and section 10(A)(2)(c) information that would if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and as such should be considered in closed Council.

Moved Cr Stutsel

Seconded Cr Ford

Carried

Pursuant to section 10A(4), the public were invited to make representation to the Council Meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed those being:-

- a. The update on business opportunities for the Region
- b. The operation of the Back O' Bourke Exhibition Centre, PV Jandra, Visitor Information Centre and Crossley Engine

Committee Recommendation:

1. That the Committee resolve into Closed Committee to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Moved Cr Stutsel

Seconded Cr Ford

Carried

Committee Recommendation at 2.25pm

That the Committee close its meeting at 2.25pm, the public and media left the Chamber.

Moved Cr Stutsel

Seconded Cr Ford

Carried

Committee Recommendation at 3.10pm

That the Committee move out of Closed Committee and into Open Committee.

Moved Cr Stutsel

Seconded Cr Ford

Carried

RESOLUTIONS FROM THE CLOSED COMMITTEE MEETING

The following resolutions of Council while the meeting was closed to the public were read to the meeting by the Mayor.

3.11pm Cr Johnson returned to the meeting

1. Update on Business Opportunities for the Region.

Committee Recommendation:

This is Page 49 of 106 of the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9am.

That the report in relation to Business Opportunities for the Region be received and noted.

- 2. The operation of the Back O' Bourke Exhibition Centre, PV Jandra, Visitor Information Centre and Crossley Engine.**

Committee Recommendation

That the presentation and reports in relation to the possibility of an external provider being sought for the operation of the Back O' Bourke Experiences be received and noted and that no further action be taken at this time.

Next Meeting

Next meeting of the Economic Development and Tourism Committee will be held on Wednesday, 16th October 2013 in the Council Chambers at 2.00pm

There being no further business the meeting closed at 3.12pm

File No:	C6.32
Report:711/2013	Report and Recommendations of the Meeting of the Town & Villages Committee held on 7th August 2013
Responsible Officer:	Peter Brown – Manager Works

The Town and Village Committee held meeting on Wednesday, 7th August 2013 commencing at 4.00p.m.

All Councillors received the agenda and reports for that meeting.

The report and recommendations from that meeting are attached.

Recommendation:

That the report of the Town and Village Committee held on the 7th August 2013 be received and the recommendations contained therein be adopted.

***REPORTS AND RECOMMENDATIONS FROM THE MEETING OF THE TOWNS & VILLAGES COMMITTEE
HELD ON WEDNESDAY, 7TH AUGUST 2013
COMMENCING 3.30PM***

ATTENDANCE

Mayor – Cr Lewis – Chair	General Manager, Ross Earl
Deputy Mayor – Cr Hollman	Peter Brown, Manager of Works
Cr Ford	Roads Manager, Mark Gordon
Cr Stutsel	Paul Faulkner, Building Services
Cr Johnson	Les Harding, Services Technical Officer
	Manager Corporate Services, Leonie Brown
	Executive Assistant/Minutes, Kai Howard

APOLOGIES

The General Manager advised that apologies were received from Cr's Brown, Bartley, Bennett, Dorrington & Davis.

Committee Recommendation

That the Committee note the apologies from Cr's Brown, Bartley, Bennett, Dorrington & Davis be received and that leave of absence be granted.

Moved Cr Ford

Seconded Cr Johnson

Carried

Confirmation of the Minutes

Committee Recommendation:

That the Minutes of the meeting of the Town and Village Committee held on the 8th May 2013, as printed and circulated be adopted as a true and record of that meeting

Moved Cr Stutsel

Seconded Cr Ford

Carried

Declaration of Interest

Councillors Stutsel noted an interest in the report relating to the request for tree removal

File No:	C6.32
Report:	Business arising from previous meeting: Status Report
Responsible Officer:	Phil Johnson Manager Economic Development and Tourism

Item	Status	Responsible Officer
Additional CCTV CBD	New Business group formed. Chaired by David Randall. Awaiting outcome of funding application.	MTD
Shutter removal	Issue is ongoing and discussed at Business House meetings	
North Bourke Residential subdivision	Working with developer on issues re development	MTD
Additional toilets in the main street	Raised at the last meeting at the Business Group where there was a consensus that the erection of the additional directional signs would alleviate most concerns	GM
Additional signage to existing toilets	Additional signage ordered and to be erected	MTS
Masterplan of Central Park	Work yet to begin	MW
Loss and grief project	No further work at this time	
Raw Water supply upgrade for North Bourke	Completed-24.7.2013	MW
Parks Plan of Management	Draft to be Considered	MW
CCTV Application for Funding	Completed	MTD

CCTV maintenance	Completed- 24.7.2013	MTD
CCTV Letter to premier	Completed- 4.6.2013	Mayor

Committee Recommendation:

That the status report in regards to actions arising from previous Town and Village Committee meetings be noted.

Moved Cr Stutsel

Seconded Cr Ford

Carried

File No:	T6.1, T6.2, C6.32
Report:	Letters –For Tree Removal
Responsible Officer:	Peter Brown, Manager of Works

Report:

Council has received a request from J & J Bates and M Bates for the removal of large fig trees adjacent to their properties which are causing significant problems to their property and necessitating calling in plumbers to unblock pipes and necessitating other repairs.

The issue of tree removed and replace has been a contentious one and the Draft Tree Replacement Programme is on the agenda for today's meeting.

Council has a budget for tree removal of a few of these large fig trees each year and the focus has been on trees which are causing problems.

Given the request from the landowners it would be prudent to include the removal of the trees this year within the current financial year.

Committee Recommendation:

That the removal of the trees be considered as part of the tree removal program within the current financial year and with such consideration being undertaken in conjunction with other trees throughout the town identified as priority for removal.

Moved Cr Stutsel

Seconded Cr Johnson

Carried

File No:	H1.12
Report:	Update on Sharps issues for Bourke
Responsible Officer:	Phil Johnston, Manager Tourism and Development

Following the Community Sharps forum on May the 1st a number of strategies were put forward by various agencies to among other things reduce the negative impacts that incorrectly discarded needles were having in the community.

A follow up meeting was held on July 24th to ensure progress had been made with the various strategies and to ensure the issue was still being addressed.

It is important to note that sharps are considered to be any implements that have an edge or point that can cut or puncture and include syringes, razors, knives, lancets, scissors, insulin pens, broken bottles and much more.

The location of existing bins are:

- Bourke Primary and Community Health at both entrance and in car park
- Bourke Hospital

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

- Coolican Oval
- Davidson Oval
- Wharf toilets
- Rotary Park
- Bourke Aboriginal Health Service

To date the most significant strategy to reduce the incidents of needles being found close to the hospital and ovals has been the installation of the improved dispensing unit at Community Health and the increased size of the disposal bin.

The staff of welfare, social and health agencies have also made an increased point of asking that needles be disposed of correctly.

Increased education about the location of bins will soon be noticeable in both the paper and on radio. Additional bins will also be placed soon at various locations around town to ensure that users have additional opportunities to dispose of the needles correctly.

There has recently been anecdotal evidence at least that those with drug addiction have voluntarily tried to seek help with various intensive programs and they have not been able to find a place readily, have been placed on a waiting list or have had to travel to far for help in difficult circumstances. The working group have encouraged the senior managers of the Local Health District to take a closer look at this issue.

Committee Recommendation:

That the information contained in the report 'Update on sharps issues in Bourke' be noted.		
Moved Cr Stutsel	Seconded Cr Ford	Carried

File No:	T6.1, T6.2, C6.32
Report:	Draft Street Tree Replanting Plan
Responsible Officer:	Peter Brown, Manager of Works

Background:

The Draft Street Tree Replacement program was prepare and presented to Council on the 17th June 2013 and put onto display for 28 days in the Council's Front Office.

Report:

Two submissions have been received by Council from Robert Stutsel and the Bourke & District Garden Club, whilst most recommendations were accepted by Robert Stutsel and the Garden Club the attached letter's has the following recommendations for the Town Committee's inclusion in the street replanting plan.

OPEN FORUM

The Chairman Mayor Councillor Andrew Lewis invited members of the public to comment on the Draft Street Plant Replanting Plan

Shirley Booth - Bourke & District Garden Club

Mrs. Booth in her Address highlighted the following

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

- Advised that Bourke needs colour in the town with the trees
- Kidman Camp have a Flowering Ash which should look very nice, will go and have a look in 12-18 months
- Trees need to be planted at the right time
- Thanked Council for the opportunity to address Council

David Tracey – Petition Co-ordinator– Opposing Fig Tree Removal

In his address to Council Mr. Tracey highlighted the following

- Need to notify community when trees are planned for removal so that it does not come as such a shock and put people off side
- He understood the terrible damage has been done to the gutters and footpaths and suggested that investigations may be undertaken ascertain alternative action that may be undertaken to mitigate the damage
- A plan has been in place for 20 years, but nothing had appeared to be done in relation to it.
- Noted that the shade cover that existed would not be available for some time following the removal of the trees.
- Thanked Council for the opportunity to relay the concerns of himself and others within the Bourke Community

Committee Recommendation:

- | | |
|----|---|
| 1) | That the letters from Robert Stutsel and the Garden Club is noted. |
| 2) | That the Draft Street Replanting Plan, be submitted for adoption at the next Council Meeting in August 26 th , 2013. |

Moved Cr Johnson

Seconded Cr Hollman

Carried

STREET TREE REPLANTING PLAN 2013

DRAFT

CONTENTS

- 1. Introduction**
- 2. Planting Philosophy**
- 3. Planting Notes**
- 4. Proposed Street Trees**
- 5. Street Tree Species**
- 6. Tree Removal/Replacement**
- 7. Trees Recommended for Removal**
- 8. Planting and Maintenance Notes**
- 9. Attachments-Detailing Preferred Species**

INTRODUCTION

This plan has been compiled to provide strategic direction for the systematic planting of new street trees.

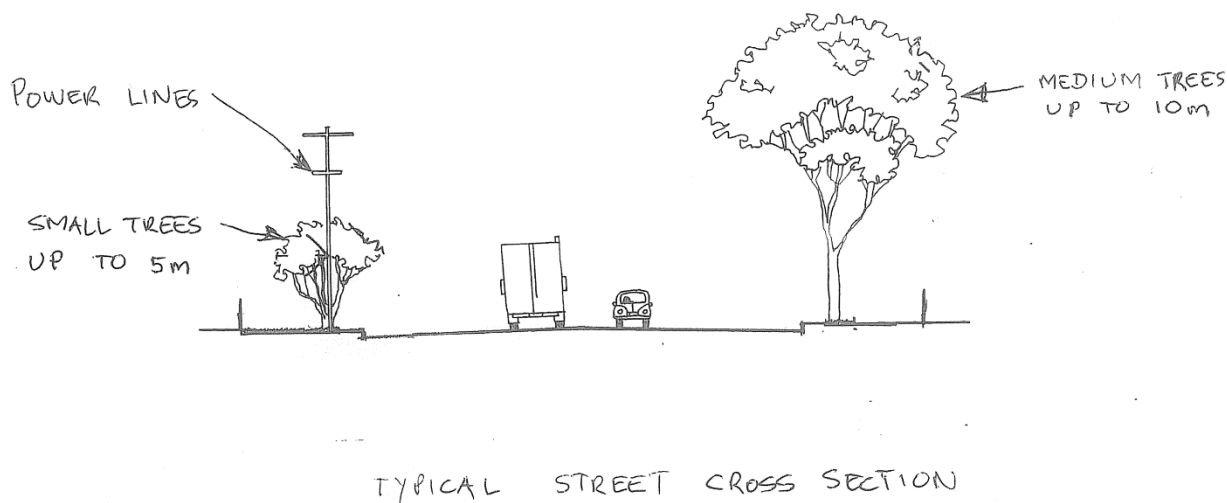
Council regards street trees as being highly desirable and integral to the urban landscape, providing a range of social and environmental advantages. As such they are considered to be a primary part of the public landscape amenity, affecting and benefiting all residents within the town.

1. PLANTING PHILOSOPHY

The main philosophy is to plant small to medium sized trees (up to 10m) on the street nature strips that provide good summer shade, are low risk, low maintenance, drought resistant and do not interfere with infrastructure and underground services.

Small trees only (less than 5m high) are to be planted under power lines.

Large trees, above 15m are generally avoided due to their high maintenance and high risk. Existing unsuitable trees will be eventually replaced with approved trees as time and nature determines, and in line with budgetary provisions.



2. PLANTING NOTES

Street trees will generally be planted on the nature strip 1m to 1.2m from the kerb line and be spaced approximately 10 metres apart. Trees will not be planted within 10 metres from the boundary line of a street corner.

3. PREFERRED STREET TREES

Preferred street trees See Attachment 1

It is worth noting that this list was compiled some time ago and some of the trees listed have since been identified as having a habit of limb dropping which needs to be considered in the decision making process.

4. OTHER SUITABLE TREES

Other Suitable Tree Species are detailed seen in Attachment 2

5. TREE REMOVAL/REPLACEMENT

Requests for tree removal and replacement will be in accordance with this draft tree replanting plan

6. TREES RECOMMENDED FOR REMOVAL

In accordance with Council's Street Tree Policy it is recommended that all Queensland fig trees are removed from Bourke town streets. A program for their progressive removal and will become an attachment to the Master Plan.

7. PLANTING AND MAINTENANCE NOTES

Street tree planting is generally carried out by Council; however residents can plant their own trees providing the species and position is approved by Council. Once planted the tree becomes the property of Council.

Council encourages residents to help in maintaining street trees by assisting with watering and minor maintenance.

8. ATTACHMENTS-Detailing the preferred Species

The listing of the preferred species has been based on an existing list that was developed by Council in conjunction with Bourke Garden Club, New South Wales Department of Primary Industries and involved a review of the existing trees with the Township of Bourke.

Council was also assisted in this process by Mr. Ian Langdon-Smith who has been the driving force behind Tancred Drive and now involved with the replanting of Vision Way.

Recommendation:

Recommends that Council use species as detailed in Appendix 1 as its preferred species in the Tree Replacement Program

Preferred Trees for Planting under Power Lines

Key

Drought resistance	H =High	M = Moderate	L = Low
Soil type.	H = Heavy	M = Medium	L = Light well drained
Frost resistance.	H = Heavy frost	M = Medium frost	L = Light frost areas
Salt	Y = Suitable for saline soils		

Botanical name	Common name	Height (M)	Drought tolerance	Soil type	Frost tolerance	Salt tolerant	Flower colour
Callistemon citrinus	Red Bottlebrush	2	M	H	H	Y	Crimson
Callistemon lilacinus	Lilac Bottlebrush	3	M	HML	Y	Y	Violet
Callistemon rigidus	Stiff leaved Bottlebrush	3	M	HML	Y	Y	Red
Callistemon speciosus	Showy Bottlebrush	3	M	HML	M		Red

Preferred trees for planting in Identified areas



Kurrajong (Waters park)



Bottle tree (35 Moculta street)

Botanical name	Common name	Height (M)	Drought tolerance	Soil type	Frost tolerance	Salt tolerant	Flower colour
Brachychiton populneum	Kurrajong	12	H	HML	L		White
Brachychiton rupestris	Bottle tree	10	H	HML	L		White

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

Stiff leaved bottlebrush (98 Oxley St)



Stiff leaved bottlebrush (File photo)



Street Trees - Suitable Species List																
No.	Common Name	Species Name	Height	Deciduous	Evergreen	Native	Quick Growing	Drought Resistant	Frost Resistant	Adaptable Soil	Messy Fruit Drop	Flower Drop	Safe Near Services	Suitable For Under Powerlines	Leaf Colour	Flower Colour
1	Weeping Myall	Acacia Pendula	6-10 M		Y	Y		Y	Y	Y					Blue Grey	
2	Box Elder	Acer Negundo	6-12 M	Y			Y	Y	Y	Y	Y				Green	Yellow Green
3	Pink Silk Tree	Albizia Julibrissin	6-9 M	Y			Y	Y	Y	Y		Y			Green	Pink White
4	White Bottlebrush	Callistemon Salignus	2-8 M		Y	Y	Y	Y	Y	Y			Y	Y	Green	Cream
5	Red Weeping Bottlebrush	Callistemon Viminalis	3-8 M		Y	Y	Y	Y	Y	Y			Y		Light Green	Red
6	Gungurru	Eucalyptus Caesia	4-8 M		Y	Y	Y	Y	Y	Y	Y				Silver Grey	Pink Red
7	Argyle Apple	Eucalyptus Cinerea	5-10 M		Y	Y	Y	Y	Y	Y	Y				Grey Blue	
8	Tall Sand Mallee	Eucalyptus Eremophila	3-8 M		Y	Y	Y	Y	Y	Y			Y		Grey Green	Yellow Green
9	Lindsay Gum	Eucalyptus Erythronema	3-10 M		Y	Y		Y	Y	Y			Y		Shiny Green	Red White
10	Scarlet Flowered Gum	Eucalyptus Ficalia	4-10 M		Y	Y		Y	Y	Y			Y		Blue Green	Red
11	Crimson Mallee Box	Eucalyptus Lansdowniana	3-5 M		Y	Y	Y	Y	Y	Y			Y	Y	Blue Green	Red White Purple
12	Ghost Gum	Eucalyptus Papuana	15 M		Y	Y	Y	Y		Y					Light Green	White
13	Salmon Gum	Eucalyptus Salmonophloia	10-20 M		Y	Y	Y	Y	Y	Y					Grey Green	White Cream
14	Steedmans Gum	Eucalyptus Steedmanii	5-10 M		Y	Y	Y	Y	Y	Y			Y		Olive Green	Cream Yellow
15	Square Fruited Mallee	Eucalyptus Tetraptera	2-4 M		Y	Y		Y		Y			Y	Y	Glossy Green	Pink Red

This is the business paper for the Ordinary Meeting of Bourke Shire Council to be held on Monday, 26th August 2013 in the Council Chambers at 9.00am

16	Lemon Flowered Gum	Eucalyptus Woodwardii	12 M		Y	Y		Y	Y	Y			Y		Grey	Yellow Green
17	Golden Ash	Fraxinus Excelsior 'Aurea'	6-12 M	Y				Y	Y	Y					Gold/Green	Purple
18	Claret Ash	Fraxinus 'Raywoodi'	10-15 M	Y			Y		Y	Y					Dark Green/Claret	
19	Velvet Ash	Fraxinus Velutina	10 M	Y				Y	Y	Y			Y		Yellow/Green	
20	Rose Of Sharon	Hibiscus Syriacus	3 M	Y			Y	Y	Y	Y			Y	Y	Light Green	Pink Purple
21	Jacarandah	Jacarandah Mimosifolia	6-10 M	Y				Y	Y	Y					Green/Yellow	Purple
22	Goldern Rain Tree	Koelreutaria Paniculata	5-8 M	Y			Y	Y	Y	Y			Y		Blue/Green	Golden
23	Crepe Myrtle	Lagerstroemia Indica	2-4 M	Y			Y	Y	Y	Y		Y	Y	Y	Grey/Yellow/Orange	Multi Colour
24	Brush Box	Lophostemon Conferta	10 M		Y	Y	Y	Y	Y	Y					Dark Green	White
25	Chinese Pistacia	Pistacia Chinensis	5-12 M	Y			Y	Y	Y	Y			Y		Green/Crimson	
26	Purple Leaved Cherry Plum	Prunus X Blireana	5 M	Y				Y	Y	Y		Y	Y	Y	Purple	White/Pink
27	Chinese Tallow Tree	Sapium Sebiferum	8 M	Y			Y		Y	Y			Y		Green/Crimson	Yellow/Brown
28	Chinese Elm	Ulmus Parvifolia	10 M		Y			Y	Y	Y					Dark Green	Brown

File No:	T6.2, C6.32
Report:	Draft Parks and Gardens Management Plan
Responsible Officer:	Peter Brown, Manager of Works

Background:

The Draft Parks and Gardens Management Plan was prepare and presented to Council on the 17th June 2013 and put onto display for 28 days in the Council's Front Office.

Report:

No submissions were received at the closing date.

IT was noted that a submission that was received from Mr. R. Stutsel had not been included in the report. That letter together with the accompanying documents has been attached to these minutes

Committee Recommendation:

- 1. That the Draft Parks and Gardens Management Plan be submitted to Council Meeting of Council on the 26th in August for adoption.**
- 2. That a series of procedures be developed to form an appendix to the Parks and Garden Management Plan to provide clarity to those responsible for the operation of the Plan.**

Moved Cr Hollman

Seconded Cr Johnson

Carried

Cr Hollman thanked Peter Brown, Manager of Works for reports in relation to The Draft Tree Replanting Program and the Draft Parks Management Plan.

File No:	
Report:	Recognition of Ian Armstrong
Responsible Officer:	General Manager

This item was first discussed during the July meeting of Bourke Shire Council. At that meeting Council resolved to discuss the issue further at a Town Committee meeting.

During the July meeting of Council it was clear that it would be a good initiative to recognize Mr Armstrong's achievements in a formal way and several suggestions were made.

In recent days Council staff have discussed the issue with the local Health Services Manager and believe the Health Service is an appropriate place to recognize Mr. Armstrong for his long service to the community.

If Councillors concur with this suggestion then Council Staff will continue to follow up.

Recommendation:

Councillors note the report as outlined by the General Manager in regards to recognition of service to the community by Mr. Ian Armstrong and ask that Council staff follow up on the suggestion to be recognized for this community services at the Bourke Hospital.

Committee Recommendation:

That that the General Manager continue to liaise Sally Torr, Health Services Manager at Bourke with the view to recognising the contribution of Mr. Armstrong to the Bourke Hospital as A long serving board members and the town Of Bourke.

Moved Cr Hollman

Seconded Cr Stutsel

Carried

Questions on Notice

Cr Johnson

- What is happening with the removal of the Graffiti from the DOC's Building

Advised as follows

- that it is private property and that permission would be need to be sought if Council were to undertake the work
- Advised that 20/10/2013 is National Graffiti Day and Council was getting involved with the local Rotary Club to promote this important initiative which it was hoped would be an all of Community Event.
- Staff are looking to develop graffiti removal kits which could be made available to assist in eliminating the graffiti problem

Cr Ford

Raised the following issues regarding the Bourke Cemetery

- Centre Niche wall is overgrown
- Overgrown garden bed near Fred Hollows grave
- Graves being run over by ride on mowers

Advised as follows

- that these issues would be address immediately.

Next Meeting

Next meeting of the Towns & Village Committee will be held on Wednesday, 16th October 2013 in the Council Chambers at 3.30pm.

There being no further business the meeting closed at 4.18pm

POLICIES

File No:	Council Policies
Report:803 a,b, c/2013	Review of Policies
Responsible Officer:	Ross Earl, General Manager

The following policies have been reviewed by staff and are now provided to Council for further comment and adoption.

Policy Name and Number	Recommendation
1.8.11(v4) Use of Council Issued Business Cards	For review and adoption
2.3.10a (v2) Staff Housing	For review and adoption
1.8.5 (v5) Payment of Expenses and Provision of Facilities for Mayor and Councillors	For review and adoption


Councillors should note that the policy in regards to Use of Council Issued Business Cards has had adjustments made which is shown in red.

The policy in regards to Staff Housing has had adjustments made which is shown in red.

Recommendation:

1. That Council resolves to adopt the Policy in regards to Use of Council Issued Business Cards labelled 1.8.11(v4) as presented to the Ordinary meeting of Bourke Shire Council on Monday, 26th August 2013, and to rescind all previous related policies.
2. That Council resolves to adopt the Policy in regards to Staff Housing labelled 2.3.10(v2) as presented to the Ordinary meeting of Bourke Shire Council on Monday, 26th August 2013, and to rescind all previous related policies.
3. That Council resolves to adopt the Policy in regards to Payment of Expenses and Provision of Facilities for Mayor and Councillors as presented to the Ordinary meeting of Bourke Shire Council on Monday, 26th August 2013, and rescind all previously related policies.

SECTION 1 Service Management
PART 8 Financial Accountability

	POLICY NO:	1.8.11(V3)(V4)
	POLICY TITLE:	USE OF COUNCIL ISSUED BUSINESS CARDS
	DATE ADOPTED:	17/06/2013
	RESOLUTION NO:	
	SUPERCEDES:	1.8.11(V3)Use of Council issued Credit Cards Adopted: 26/09/2011 Resolution No: 429/2011
	PROPOSED REVIEW DATE:	26/09/2012

POLICY

Bourke Shire Council's Business Card policy has been developed to ensure transparency in Council's operations concerning the use of corporate business cards and ensures that Council's resources are managed with integrity and diligence.

Council shall issue a National Bank Business Card to the following –

Mayor – credit limit \$2,000

General Manager – credit limit ~~\$5,000~~-\$8000,00

Managers- At the discretion of the General Manager - credit limit \$2,000

This allocation shall be reviewed annually at the Council meeting where the Mayoral elections are conducted.

BACKGROUND

The utilisation of ~~credit~~ business cards by Council assists it in making small purchases and/or urgent purchases where a ~~credit~~ business card is necessary, and they are also for use by the Mayor and General Manager when representing the Council in Sydney, Canberra and other regional centres, for incurring associated expenses.

~~This policy is designed to determine eligibility for issue of credit business cards and to highlight the circumstances under which credit business cards may or may not be used, including credit limits. The policy procedures (PJ) will also address reconciliation procedures, procedures for lost, stolen or damaged cards and procedures for card return and final reconciliation~~

Circumstances for Use:

~~Credit-Business~~ cards are only to be used for Council business

- ~~Credit~~ Business cards may be used for small purchases from non recurring suppliers and/or where ~~credit~~ business cards are necessary to obtain desired Council purchases e.g. florists for floral tributes; one off purchases of special equipment etc.
- ~~Credit~~ Business cards may be used for fuel purchases in remote locations where the Council issued fuel card cannot be utilised
- If the card is used to purchase software, especially if purchasing through the internet, it is necessary to liaise with Council's IT Department to ensure software is compatible and is capable of effective support and maintenance

- The card held by the General Manager may be made available to another officer for a specific use, subject to that officer complying with this policy.
- ~~Credit~~ Business cards may be utilised by the Mayor and/or General Manager when representing the Council for expenses such as accommodation, meals etc. where the supplier will not accept a Council Order.
- Cardholders are responsible for ensuring that their purchases meet the Bourke Shire Councils Procurement Policy.
- Card holders are to ensure that proposed transactions will not cause the credit limit to be exceeded

~~Credit~~ Business cards are **not** to be used for private use.

- Use of a card will require the user to abide by Council's purchasing policy
- Where inappropriate expenditure occurs the value of the expenditure shall be recovered from the card holder. Should there be an accidental transaction, the card holder is to notify the senior finance officer and Council reimbursed immediately.

Payment Methods:

The following methods are approved for the processing of ~~credit~~ business card transactions:

- across the counter (the Business Card holder signs a purchase slip at the time of purchase)
- by telephone (the transaction is completed by quoting Business Card details to the supplier). In these circumstances the Business Card holder should maintain a record of transaction and all staff **must** complete a use of Council Credit Card held by the General Manager form.
- by mail, quoting the Business Card number on orders to suppliers. Similarly, records need to be maintained of transactions.

Use of the Internet for Business Card orders should be avoided unless absolutely necessary.

Reconciliation Procedures:

~~As soon as practical after the use of the Business Card the user is to provide the following to the Financial Officer:~~

Each card holder is responsible to provide the Senior Finance Officer with a monthly reconciliation as per the NAB Business MasterCard Statement

- A copy of the signed docket provided by the supplier; and
- If the above docket does not include a Tax Invoice, a Tax Invoice for debited amount
- All dockets are to include job numbers
- Card holders statements will be forwarded to the card holders' direct supervisor for retrospective review and approval
- Finance will maintain a Register of Corporate Credit Card Holders, detailing card holder name, card number, credit limit, and expiry date for all cards. The register shall be kept up to date and reflect any changes notified to the corporate card supplier.

~~These dockets should be forwarded to the Financial Officer with a job allocation number at least prior to the end of each month to enable reconciliation with the Bank's Credit Business Card Statement.~~

Should there be any discrepancy then such is to be referred to the Responsible Accounting Officer for determination of appropriate action.

Procedures for Lost, Stolen or Damaged Cards:

If a ~~credit~~ business card is lost or stolen the cardholder should immediately advise the National Australia Bank and as soon as possible advise Council's Responsible Accounting Officer who will arrange for a replacement card to be issued.

Procedures for Returns and Reconciliation:

On the cessation of duty of ~~Staff a General Manager~~ and/or the cessation of Office by a Mayor the ~~Credit~~ Business Card is to be returned to Council, together with any outstanding credit card and attendant Tax Invoices.

All outstanding transactions are cleared and properly accounted for.

Disputed Purchases:

Council is responsible for paying all accounts on the monthly ~~credit-business~~ card statement and the bank will debit this amount to the Council's bank account at the end of the month.

The card holder will be personally liable for expenditure that cannot be shown to be related to the business of Bourke Shire Council.

POLICY CONDITIONS

Council officers issued with corporate credit cards are in a position of trust with regards to the use of public funds, improper use of that trust may render the card holder liable to disciplinary action, legal action or criminal prosecution.

Card holders are to comply with all condition within the policy.

The General Manager has the right to withdraw the cards if staff do not complete their monthly reconciliation of use.

RELEVANT LEGISLATION AND POLICIES

- Local Government Act (NSW) 1993
- Local Government General Regulation 2005
- Bourke Shire Council Procurement Policy

VARIATIONS

Council retains the right to review, vary or revoke this policy at any time.

The General Manager has the right to review or vary any related procedures.

Presented to MANEX: 01/08/2013

Policy Adopted by Council:



Acknowledgment:

Cardholder's are to acknowledge supply of the **NAB Business MasterCard** and attaching conditions by signing a copy of this policy with such signed copy to be filed appropriately in Council's Filing system and a copy to be provided to the cardholder.

I,.....Title.....


Hereby acknowledge receipt of **NAB Business MasterCard** No.....
and the attaching conditions of use as detailed in the above Policy.

I also acknowledge that I occupy a position of trust in regard to the use of public funds and that improper use of that trust may render me liable to either disciplinary/legal action/criminal prosecution.

.....
Signed

Date/...../.....

SECTION 2 Staff Management
PART 2.3 Conditions of Employment

	POLICY NO:	2.3.10a (v2)
	POLICY TITLE:	Staff Housing
	DATE ADOPTED:	17/06/2013
	RESOLUTION NO:	
	SUPERCEDES:	2.3.10a Staff Housing Adopted: 27/07/2009 Resolution No: 351/2009
	PROPOSED REVIEW DATE:	

POLICY

Council owns a small number of houses which are maintained for use as an incentive to secure the services of suitable senior management employees, particularly including the General Manager , Senior Contracted Managers and **Senior Salaried Managers**.

~~This policy acknowledges the different levels of management and specialisation of skills, and also the differences in employment security between a contracted position compared to a salaried position.~~

Council rental for Council owned premises may be established by a licensed and registered Valuer.

All staff renting a Council house will be expected to enter into a lease agreement, **including payment of a Bond of at least four weeks unless otherwise negotiated with the General Manager.**

General Manager

An offer of a Council provided house is to be negotiated between the General Manager and the Mayor at the time a Contract is developed. The following provides guidelines for these negotiations.

For the General Manager, a house is provided on the basis of a rental subsidy at 50% of Council rental. The rental amount due to Council will be available as salary sacrifice.

In the case of the General Manager owning any real estate property within a 50 km radius of Bourke township, no rental subsidy will be offered if the General Manager chooses to reside within the Council owned house.

In the case of the General Manager providing his/her own housing, Council may provide an additional contract remuneration consideration equal to the General Rates and Charges annual account as per the Rates Notice issued annually in July to approximately offset the average subsidy that would be applicable if a Council house was provided for the position.

Senior Contracted Managers

For Senior Contracted Managers, a Council house shall be offered for rental subject to availability.

If so, this offer is to be negotiated between the Employee and the General Manager at the time a Contract is developed.

For Senior Contracted Managers, a house may be provided on the basis of a rental subsidy at 50% of Council rental. The rental amount due to Council will be available as salary sacrifice.

In the case of the Senior Contracted Manager owning any residential real estate property within a 50 km radius of Bourke township, no rental subsidy will be offered if the Senior Contracted Manager chooses to reside within the Council owned house.

In the case of the Senior Contracted Manager providing his/her own housing, Council may provide an additional contract remuneration consideration equal to the General Rates and Charges annual account as per the Rates Notice issued annually in July to approximately offset the average subsidy that would be applicable if a Council house was provided for the position.

Senior Salaried Section Managers

Senior Salaried Managers shall be offered rental housing, subject to availability, on the basis of a rental subsidy at 50% of Council or commercial rental, subject to the General Manager's determination. The rental amount due to Council will be available as salary sacrifice. Considerations by the General Manager should encourage permanently employed staff to demonstrate permanent citizenship by occupying their own home in Bourke.

In the case of the Senior Salaried Manager owning any residential real estate property within a 50 km radius of Bourke township, no rental subsidy will be offered if the Senior Salaried Manager chooses to reside within the Council owned house.

In the case of the Senior Salaried Manager providing his/her own housing, no additional assistance will be offered to offset the equivalent of the Council's 50% of rental subsidy.

Housing for Other Staff

If a Council premise is available for any other staff employee, it will be expected to be at full Council or commercial rent, and with a lease condition that it may be required with notice for another purpose, and subject to the final determination of the General Manager on a case by case basis.

Priority of access to Council owned houses

The primary purpose of Council owning any houses is to attract and maintain staff, particularly senior and or specialist staff. The staff priority order is as listed above.

Secondary priority is for essential medical professionals, specifically Doctors, followed by Dentists. This priority may rate higher than certain categories of staff.

A lower priority is to offer housing to critical State and Commonwealth Public Servants. In these cases, the offer is on the condition that if a higher priority need arises, the house lease will have to be terminated.

Non Council employees will be offered housing at commercial rent unless otherwise determined by the General Manager.

~~Council has no business plan to be involved in commercial real estate.~~

PROCEDURES BY GENERAL MANAGER FOR PERMANENT EMPLOYEES

The default decision of the General Manager will be to offer a Council House to a permanent employee, whether ~~a Senior Salaried Section Manager~~ or any other employee rental at a commercial rent rather than at "Council" rent. The General Manager has the discretion to vary this default position.

~~Consideration by the General Manager to encourage permanently employed staff to demonstrate permanent citizenship by occupying their own home in Bourke will be that a permanent staff member may be offered rental of a Council house for a maximum of three years.~~

RELATED POLICIES

VARIATIONS

Council retains the right to review, vary or revoke this policy at any time.

The General Manager has the right to review or vary any related procedures.

Presented to MANEX: 01/08/2013

Policy Adopted by Council:

BOURKE SHIRE COUNCIL



DRAFT POLICY

PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS

(Presented to at the Ordinary Meeting of Council 26.8.2013)

INDEX

Part 1 - INTRODUCTION

1. Title and Commencement of the Policy
2. Purpose of the Policy
3. Objectives and Scope of the Policy
4. Making and Adoption of the Policy
5. Legislative Provisions
6. Other Government Policy Provisions

Part 2 - PAYMENT OF EXPENSES: GENERAL PROVISIONS

7. PAYMENT OF EXPENSES GENERALLY (PRINCIPLES AND PROCESSES)

- 7.1 Exclusion of General Provision Expense
- 7.2 Monetary Limits and Expenses
- 7.3 Gifts and Benefits to be of Token Value
- 7.4 Approval and Dispute Resolution Processes
- 7.5 Reimbursement and Reconciliation of Expenses
- 7.6 Payment in advance process

8. SPECIFIC EXPENSES FOR MAYOR AND COUNCILLORS (including limits)

- 8.1 Local travel arrangements and expenses
- 8.2 Attendance at seminars and conferences
- 8.3 Travel outside the Local Government Area
- 8.4 Interstate Travel
- 8.5 Overseas Visits
- 8.6 Legal Expenses and Obligations
- 8.7 Insurance
- 8.8 Telecommunications/internet
- 8.9 Care and Other Related Expenses
- 8.10 Councillors with Disabilities
- 8.11 Spouse and Partner Expenses

9. ADDITIONAL EXPENSES FOR MAYORS

- 9.1 Additional Expenses Provided

Part 3 - PROVISION OF FACILITIES

10. GENERAL PROVISIONS

Provision of facilities generally (principles and processes)

10.1 Private use of facilities and mechanism for reimbursement.

11. PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

11.1 Equipment and facilities provided.

12 PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYORS

12.1 Additional equipment and facilities provided.

Part 4 - OTHER MATTERS

13. ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS

13.1 Acquisition and returning of facilities and equipment by Councillors.

APPENDICIES

Appendix 1	Detail of Legislative Provisions.
Appendix 2	Council Claim form.

Status of the Policy

Date of Adoption:

Responsible Department:

General Manager

Mandatory Annual Review:

Date: September

Policy Amended:

Public Exhibition:

1. Title and Commencement of Policy

This policy is to be known as Bourke Shire Council Policy regarding the Payment of Expenses and Provision of Facilities to Councillors.

2. Purpose of the Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors. This policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

3. Objectives and Scope of the Policy

The policy provisions are aimed at being non-discriminating and will be used in an equitable manner to enable the full participation by all Councillors.

The policy provisions are at a level to encourage members of the community to seek election to Council by ensuring that they would not be financially disadvantaged in undertaking the civic roles of a Councillor.

The policy will ensure accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.

The policy will provide clear details of benefits available to Councillors.

The policy fulfils the statutory obligations of Council under section 252 of the Local Government Act 1993.

4. Making and Adoption of the Policy

This policy will be reported to Council annually in September. The proposed policy is required to be placed on public exhibition for 28 days each year even if Council has resolved to adopt the same policy (Section 253 (5))

Council is also required to give public notice of any changes made throughout the year. However, Council is not required to give notice if the changes are deemed not to be substantial as per section 253 (3) of the Local Government Act.

5. Legislative Provisions

The policy is governed by the Local Government Act 1993, specifically but not limited to; sections 252, 253 and 254 and the Local Government (General) Regulation 2005.

6. Other Government Policy Provisions.

In addition to the legislative provisions as detailed above the following should also be taken into consideration:

- Bourke Shire Council Code of Conduct
- ICAC Publication- No excuse for Misuse, Preventing the Misuses of Council resources
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.

PART 2 - PAYMENT OF EXPENSES - GENERAL PROVISIONS

7.1 Exclusion of General Expense Provision

In accordance with clause 403 of the Regulation no provision has been made for the payment of an allowance in the nature of a general expense allowance.

(A general expense allowance is a sum of money paid by a council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific time frame.)

7.2 Monetary Limits on Expenses

This policy identifies and publishes monetary limits and standards applicable to the payment of various expenses to Councillors. This allows members of the public to know the expected cost of providing services to Councillors and to make comment during the public consultation phase of making or amending the policy.

The Mayor and General Manager may under exceptional circumstances vary the monetary limits with such variation to be reported to Council.

7.3 Gifts and Benefits to be of Token Value

In circumstances where it is appropriate for councillors to give a gift or benefit (for example, on a council business related trip or when receiving visitors), these gifts and benefits should be of token value and in accordance with the Model Code of Conduct adopted by the Council. For clarification on what token gifts and benefits are you should refer to the Code of Conduct. Whilst the Code of Conduct does not put a monetary value on what is determined to be token value a figure of \$50.00 should be utilised for the purposes of this policy

7.4 Approval and Dispute Resolution Process

The approval for expenses in accordance with this policy shall be undertaken by the General Manager.

Where a dispute arises concerning the payment of expenses or provision of facilities, the matter shall be referred for determination jointly by the Mayor and Deputy Mayor.

Where the dispute involves either of the Councillors holding one of the positions, it shall be referred for determination at a meeting of the Council.

7.5 Reimbursements and Reconciliation of Expenses

- (a) Reimbursement of costs and expenses to Councillors will only be made upon production of appropriate receipts and tax invoices and completion of a Councillor's Expense Claim Form. Expenses and costs incurred must be in accordance with the requirements of this policy.
- (b) Claims for reimbursement of expenses should be submitted within three (3) months of the expense being incurred. Expense claims submitted in excess of three (3) months of the expense being incurred will not be reimbursed.
- (c) Payment will be made within one (1) month of an approved claim being received unless documentation is inadequate, in which case the claimant will be notified immediately.

7.6 Payment in Advance

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Councillors may also request an advanced payment for the cost of any other service or facility covered by this policy. The Mayor or the General Manager is to authorise pre-paid expenses. A reconciliation of the funds expended, and accompanying receipts, are to be submitted to the General Manager within 10 days following the conclusion of the Conference, Seminar or Training together with any unspent funds.

SPECIFIC EXPENSES FOR MAYOR AND COUNCILLORS

8.1 Civic Business Within the Bourke Shire Local Government Area

Expenses will be paid for Councillors to attend:

- Meetings of the Council and Committees;
- Meetings of other committees, bodies, organisations or groups to which those Councillors are Council delegates or representatives;
- Other meetings or inspections which are authorised by the Council, the Mayor or the General Manager;
- Training courses, seminars or conferences authorised by the Council (except in those circumstances where there is insufficient time for a Council decision and in those cases the Mayor and General Manager have the authority to approve the attendance and report back at the next Council meeting for endorsement of that decision);
- No Expenses are to be paid by Councillors to support attendance by Councillors at political fund-raising functions.

CATEGORIES OF PAYMENT / REIMBURSEMENT

(a) Council and Committee Meetings

(i) Travel

Councillors are entitled to be reimbursed for the use of their private vehicle for travel to and from meetings.

Payment for the use of a Councillor's private vehicle will be based on the relevant kilometre rate for vehicles as determined in the Local Government (State) Award and applicable as at 1st July each year.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is lesser), immediately prior to the meeting.

(ii) Meals/Refreshments

Arrangements will be made for a light meal and/or refreshments to be provided at each meeting depending on the scheduling of each meeting.

(iii) Accommodation

Should a meeting be scheduled to finish later than 9.00pm or start earlier than 7.00a.m and the Councillor lives more than 50 kilometres from Bourke or in other circumstances where, in the opinion of the Mayor or General Manager, because of the timing of the meeting, it would be impractical or introduce undue risk for the Councillor to travel home before/after the meeting, Council will meet reasonable accommodation costs (including sustenance and telephone calls) on the evening of or prior to the meeting for the Councillor.

Accommodation will generally be booked by Council staff and will be limited to \$150.00 per night. Council will not meet any expenses incurred from mini bars.

(b) Meetings of Other Committees, Bodies, Organisations or Groups to Which Those Councillors are Council Delegates or Representatives or Other Authorised Meetings or Inspections Training Courses, Seminars or Conferences within Bourke Shire Area

(i) Travel

Council vehicles will generally be made available, however, in circumstances where a Council vehicle is not available or the use thereof is impractical, Councillors may use their private motor vehicle. Councillors should check with the Engineering Section to ascertain whether a Council vehicle is available and should make arrangements to collect the vehicle at a mutually suitable time.

Payment for the use of a Councillor's private vehicle will be based on the relevant kilometre rate for vehicles as determined in the Local Government (State) Award and applicable as at 1st July each year.

When a private vehicle is used when a seat in a Council vehicle is available reimbursement will be at the discretion of the General Manager and the Mayor

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting or inspection.

(ii) Out-of Pocket Expenses

Reasonable out-of-pocket expenses will be reimbursed for costs associated with attendance, but excluding expenses of a normal personal nature. Out of pocket expenses are to be limited to \$50.00 per day when attending functions within Bourke Shire Area.

(iii) Accommodation

Should a meeting be scheduled to finish later than 9.00pm or start earlier than 7.00am and the Councillor lives more than 50 kilometres from Bourke or in other circumstances where, in the opinion of the Mayor or General Manager, because of the timing of the meeting, it would be impractical or introduce undue risk for the Councillor to travel home before/after the meeting, Council will meet reasonable accommodation costs (including sustenance and telephone calls) on the evening of or prior to the meeting for the Councillor.

Accommodation will generally be booked by Council staff and will be limited to \$150.00 per night. Council will not meet any expenses incurred from mini bars.

(iv) Registration

Includes all registration fees involved in the attendance at the conferences, seminars etc as well as associated official luncheons, dinners and tours.

8.2 Civic Business outside the Local Government Area

Expenses will be paid for Councillors to attend:

- (i) Conferences, seminars and training courses at which attendance has been authorised by the Council (except in those circumstances where there is insufficient time for a Council decision and in those cases the Mayor and General Manager have the authority to approve the attendance and report back at the next Council meeting for endorsement of that decision);
- (ii) Meetings of other committees, bodies, organisations or groups to which those Councillors are Council delegates or representatives; and
- (iii) Other meetings or inspections which are authorised by the Council, the Mayor or the General Manager.

Categories of Payment/Reimbursement

(i) Registration

Includes registration fees for attendance at conferences, seminars etc as well as associated official luncheons, dinners and tours.

(ii) Travel

Council will either pay or reimburse Councillors for travel by air, private motor vehicle, rail or taxi/hire car, as appropriate and as set out below: (With all travel arrangements, due consideration is to be given to the physical capacity of the Councillor and any variation to the arrangements below will be with the approval of the Mayor).

(a) Air

Where travel is undertaken by air, this will be by economy class. All bookings for travel will generally be made by Council staff.

(b) Motor Vehicle

Council will endeavour to make a vehicle available and Councillors are asked to clarify the availability of a vehicle with Council's Engineering Division.

Where a Council vehicle is not available a private motor vehicle may be used. Councillors are entitled to be reimbursed for this use.

Payment for the use of a Councillor's private vehicle will be based on the relevant kilometre rate for vehicles as determined in the Local Government (State) Award and applicable as at 1st July each year.

Where a private vehicle is used when a Council vehicle is available reimbursement will be at 50% of the determined rate unless otherwise approved by the General Manager.

If a councillor chooses to travel in their own vehicle when a seat is available in a Council vehicle travel will not be reimbursed unless otherwise approved by the General Manager and Mayor.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting, function, training course, seminar or conference.

This claim will be subject to the cost not exceeding the economy class airfare as applicable.

(c) Rail

Where travel is undertaken by train, Council will meet the cost of a first class ticket, or equivalent, including sleeping berths where necessary.

(d) Taxi/Hire Car

Where travel is undertaken by taxi/hire car, Council will reimburse fares paid upon presentation of relevant receipts.

(iii) Accommodation

Council will meet reasonable costs (including sustenance and telephone charges) including the night before and after the meeting, training course, seminar or conference where necessary. Accommodation will generally be booked by Council staff and will be limited to \$150.00 per night in regional areas and \$300.00 in capital cities.

Council does not meet any expenses incurred from mini bars.

Note: Should accommodation be in excess of this amount at the conference venue the General Manger is able to approve this additional cost.

(iv) Out-of-Pocket Expenses

Reasonable out-of-pocket expenses will be reimbursed for costs associated with attendance, but excluding expenses of a normal private nature. Expenses are to be limited to the those amounts as detailed in Table 2 of the Australian Taxation Office's Determination for reasonable travel and meal expenses for that financial year. All claims are to be accompanied by receipts.

Note: It is expected that Councillors who attend conferences and seminars will provide Council with a brief report on such conference unless when accompanied by a staff member who will undertake this reporting function. Additionally it is expected that all conference/seminar attendees will actively participate in all sessions of the conference unless engaged in other business on behalf of Council.

8.3 Interstate Visits

All interstate visits should be approved by Council and the expenses payable will be in accordance with that for travel outside the Local Government Area.

Note: For the purposes of this policy travel to South Western Queensland will not be regarded as interstate travel given the relationship of Council with that region. The ACT is also not deemed to be interstate.

8.4 Overseas Visits

Overseas travel must be approved by the Council prior to a Councillor undertaking a trip.

Travel must be approved on an individual trip basis.

Council will not allow the retrospective reimbursement of overseas travel expenses unless prior authorisation of the travel has been obtained.

Travel proposals shall be included in the Council business papers and not via a Mayoral Minute and must include full details of the travel itinerary, cost, reasons for the travel and benefit to Council.

After returning from overseas, Councillors (unless accompanied by a Council staff member) should provide a detailed written account to Council on the aspects of the trip relevant to Council business and/or the local community.

Should the Mayor or other Councillor accept an invitation to travel overseas, details of travel will be included in the Council's Annual Report as required by the Local Government Act and Regulations.

8.5 Legal Expenses and Obligations

In the particular circumstances outlined below and subject to the receipt of legal advice, Council may indemnify or reimburse the reasonable legal expenses of:

- (i) A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731); or
- (ii) A Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act; or
- (iii) A Councillor for an inquiry, investigation or hearing into the Councillor's conduct by an appropriate investigative or review body including but not limited to:
 - (a) Local Government Pecuniary Interest and Disciplinary Tribunal
 - (b) Independent Commission Against Corruption
 - (c) Office of the NSW Ombudsman
 - (d) Division of Local Government, Department of Premier and Cabinet
 - (e) NSW Police Force
 - (f) Director of Public Prosecutions
 - (g) Council's Conduct Review Committee/Reviewer

This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of the Councillor's functions under the Act and the matter before the investigative or review body has proceeded

past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a Councillor, legal costs shall only be made available where a matter has been referred by the General Manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with procedures in the Council's Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs will only be made available where a formal investigation has been commenced by the Division of Local Government.

In addition, legal costs will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to the Councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

Note

- a) **Council will not meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances.**
- b) **Council will not meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.**
- c) **Council will not meet the costs in respect of any legal proceedings initiated by the Mayor and/or Councillors, acting as individuals, in any circumstances.**

8.6 Insurance

Councillors will receive the benefit of insurance cover for:

- (i) **Personal injury** while on Council business. The cover does not include medical expenses for illness in Australia.
- (ii) **Professional indemnity** for matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty is, in the opinion of Council, in good faith or proper. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
- (iii) **Public liability** for matters arising out of Councillors' performance of civic duties or exercise of their functions under the Local Government Act. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.

- (iv) **Councillors and Officers liability.** This policy provides protection in respect of actions against the individual Councillors in addition to legal costs incurred by them in defending an allegation of a wrongful act made in the course of their duties as Councillors. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
- (v) **Travel Insurance-** Councillors will be provided with travel insurance when travelling outside the Bourke Shire Local Government area for those situations not covered under the personal injury policy.

8.7 Telecommunication Expenses

(i) Councillor Supplied Fax/Phone Line

Council will meet the cost of identified Council related calls and will make contribution to any consumables in proportion to the level of identified usage.

(ii) Mobile Phone Calls

Council will meet the cost of calls made on behalf of Council from private mobiles. Such calls should be clearly identified on the monthly accounts issued by service providers.

(iii) Limits on Expenditure on Calls

The limit on the cost of reimbursement of calls shall be \$150.00 per month in the case of the Mayor and \$25.00 per month in the case of Councillors.

8.8 Carer and other related expenses

In accordance with the principles of participation, access and equity Council will reimburse the reasonable cost of carer arrangements, including childcare expenses and care of elderly, disabled and/or sick immediate family members of Councillors, to allow Councillors to undertake their Council business obligations.

Reimbursement of these expenses will be limited to a maximum of \$1,000.00 per annum, plus \$200.00 per annum for carers expenses incurred in relation to the attendance at a conference/seminar or training course.

Council business obligations in this context shall include Council and Committee meetings, Councillor briefings, attendance as an appointed Council delegate to meetings and functions of external agencies on which the Council is represented, Council Citizenship Ceremonies, but not functions that are primarily social in nature.

All claims should be accompanied by a receipt verifying payment to a care provider.

8.9 Councillors with Disabilities

In addition to other clauses on this policy regarding the provision of facilities to Councillors, in the event of a Councillor having a disability that would prevent them from performing their civic duties

without the provision of additional facilities, where necessary, and with the agreement of the Mayor and General Manager, additional appropriate facilities will be made available to that Councillor.

8.10 Spouse and partner Expenses

- (i) There may be limited instances where certain costs incurred by a Councillor on behalf of their spouse, partner or carer are properly those of the Councillor in the performance of his or her functions (hence they are properly incurred by and reimbursable to the Councillor).
- (ii) As a consequence, meeting the reasonable costs of spouses and partners or carer for attendance at official Council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying Councillors within the Local Government Area. Such functions would be those that a Councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples could include, but not be limited to, Australia Day award ceremonies, Citizenship ceremonies, Civic receptions and charitable functions for charities formally supported by the Council.
- (iii) Limited expenses of spouses, partners or carers associated with attendance at the Local Government and Shires Associations annual conferences will be met by Council. These expenses will be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours, etc. will be the personal responsibility of individual Councillors.
- (iv) Consideration will also be given to the payment of expenses for the spouse, partner or carer of a Mayor, or a Councillor when they are representing the Mayor, when they are called on to attend an official function of Council or carry out an official ceremonial duty while accompanying the Mayor outside the Council's area, but within the State. Examples could include charitable functions to which the Mayor has been invited to represent the Council.
- (v) The above circumstances should be distinguished from spouses, partners or carers who accompany a Councillor at any event or function outside the Council area, including interstate and overseas, where the costs and expenses of the spouse or partner or accompanying person will not be paid by Council (with the exception of attendance at the Local Government and Shires Associations annual conference, as noted above.)
- (vi) The above examples should also be distinguished from circumstances where spouses, partners or carers accompany Councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the Councillor or the spouse/partner/ accompanying person.
- (vii) The payment of expenses for spouses, partners or carers for attending appropriate functions as permitted above should be confined specifically to the ticket, meal and/or the direct cost of attending the function.

- (viii) The processing and payment of registration and associated fees on behalf of spouses, partners or carers may be undertaken by Council in conjunction of the registration of delegates with any fees paid to be reimbursed within thirty (30) days.

9. ADDITIONAL EXPENSES FOR THE MAYOR

9.1 Corporate Credit Card

The Mayor shall be supplied with a corporate credit card to facilitate payment of official Council business expenses, including hosting official visitors and dignitaries to the Shire. Use of the card will be in accordance with the adopted credit card policy.

PART 3 – PROVISION OF FACILITIES

10. GENERAL PROVISIONS

Provision of facilities generally (principles and processes)

10.1 Private use of facilities and mechanism for reimbursement.

Councillors should not generally obtain a private benefit from the provision of equipment and facilities.

However, it is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental use is not subject to reimbursement.

10.2 No Use of Council Resources for Political Purposes

Council facilities and equipment are not to be used to produce election material or for any other political purpose.

11. PROVISIONS OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

11.1 Equipment and facilities that may be provided

- (i) **Business Cards** – with approved details.
- (ii) **Letterheads** – for responding to matters raised by constituents.
- (iii) **Meeting Room**

Subject to availability the meeting room or conference room will be able to be used for Councillors to conduct interviews etc.
Tea/Coffee making facilities will also be made available.

- (iv) **Corporate Apparel**

Council will supply each Councillor at the beginning of each quadrennial term a shirt/blouse embroidered with Council's logo or of Council design with such cost not to exceed \$100.00

(v) **Personal Protective Equipment**

Each Councillor required to undertake inspections as part of their role as a Councillor will be supplied upon request with personal protective equipment required as a condition of entry onto the individual work site.

(vi) **Name badge.**

(vii) **Laptop Computer or I Pad**

12. PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

Additional equipment and facilities that may be provided to Mayor

In addition to those facilities provided to the Councillors, the Mayor is to receive the benefit of:

(i) **Council Vehicle.**

A vehicle will be supplied for the use of the Mayor and will be available at all times for use whilst undertaking his/her Mayoral Duties. A fuel card will be provided for use with the Mayoral vehicle. The Mayor is required to undertake the completion of a log book.

(ii) **Mobile Telephone** with a car kit (Note monthly limit of \$150.00)

(iii) Official stationary incorporating Mayoral letterhead for official Council correspondence issued under the hand of the Mayor.

(iv) **Business Cards** for his/her role as Mayor.

(v) **Secretarial Services** - word-processing and administrative support provided by the Executive Assistant.

(vi) **Administrative Support** - assistance with the coordination of functions, organisations, meetings, ect.

(vii) Where practicable and available provision of an appropriate facilities, suitable for interviews and small civic receptions.

(viii) Use of ceremonial Chains of Office.

(ix) A suitable name badge.

PART 4 – OTHER MATTERS

13. ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS

Acquisition or return of facilities and equipment by Councillors.

Councillors must return all equipment and other facilities in good condition to the Council when they cease to be an elected member of Council or are granted extended leave of absence.

On cessation of their civic duties Councillors may purchase the equipment provided by the Council at an amount determined at an agreed fair market price or at the written down value of the asset on appearing on Council's Asset Register

This clause shall exclude uniforms and protective equipment which are able to be retained and the Mayor Chains of Office which shall always remain the property of Council and the Mayoral vehicle.

Appendix 1

LEGISLATIVE PROVISIONS

Local Government Act 1993

The relevant provisions of the Local Government Act 1993 are set out below:

Section 252 Payment of Expenses and Provision of Facilities

- (1) Within five (5) months after the end of each year, a Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the Council to the Mayor or Councillor.
- (3) A Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, the Deputy Mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this section.
- (4) A Council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

Section 253 Requirements Before Policy Concerning Expenses and Facilities can be Adopted or Amended

- (1) A Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least twenty eight (28) days for the making of public submissions.
- (2) Before adopting or amending the policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.
- (4) Within twenty eight (28) days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a Council is to forward to the Director-General:
 - (a) A copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and

- (b) A statement setting out, for each submission, the Council's response to the submission and the reasons for the Council's response, and
 - (c) A copy of the notice given under subsection (1).
- (5) A Council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the Council proposes to adopt a policy that is the same as its existing policy.

Section 254 Decision to be made in Open Meeting

The Council or a Council committee all the members of which are Councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

Section 12 (What information is publicly available) provides that the public is able to inspect during office hours at the Council, and at no charge, the current version and the immediately preceding version of the Council's expenses and facilities policy. The public are also entitled to a copy of the policy either free of charge or on payment of a reasonable copying charge.

Section 23A (Director General's guidelines) makes provision for the Director-General of the Department of Local Government to prepare, adopt or vary guidelines that relate to the exercise by a council of any of its functions. It also requires that a Council must take the relevant guidelines into consideration before exercising any of its functions.

Section 428(2) (f) (Annual Reports) requires a Council to include in its annual report: The total amount of money expended during the year on Mayoral fees and Councillor fees, the Council's policy on the provision of facilities for use by Councillors and the payment of Councillors' expenses, together with a statement of the total amount of money expended during the year on the provision of such facilities and the payment of such expenses.

In addition **Section 428 (r)** requires that Councils must report on any other information required by the regulations.

Local Government (General) Regulation 2005

The relevant provisions of the Local Government (General) Regulation 2005 are set out below:

Clause 217 (Additional information for inclusion in annual reports) states in part:

- (1) For the purposes of section 428(2)(r) of the Act, an annual report of a Council is to include the following information:
 - (a) Details (including the purpose) of overseas visits undertaken during the year by Councillors, Council staff or other persons representing the Council (including visits sponsored by other organisations).
 - (a1) Details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, Councillors in relation to their civic functions (as paid by the Council, reimbursed to the Councillor or reconciled with the Councillor), including separate details on the total cost of each of the following:
 - (i) The provision during the year of dedicated office equipment allocated to Councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in Councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
 - (ii) Telephone calls made by Councillors, including calls made from mobile telephones provided by the Council and from landline telephones and facsimile services installed in councillors' homes,
 - (iii) The attendance of Councillors at conferences and seminars,
 - (iv) The training of Councillors and the provision of skill development for Councillors,
 - (v) Interstate visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
 - (vi) Overseas visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
 - (vii) The expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a Councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time,

- (viii) Expenses involved in the provision of care for a child of, or an immediate family member of, a Councillor, to allow the Councillor to undertake his or her civic functions,

Clause 403 (Payment of Expenses and Provision of Facilities) states:

A policy under section 252 of the Local Government Act 1993 must not include any provision enabling a Council:

- (a) To pay any Councillor an allowance in the nature of a general expense allowance, or
- (b) To make a motor vehicle owned or leased by the Council available for the exclusive or primary use or disposition of a particular Councillor other than a Mayor.

OTHER GOVERNMENT POLICY PROVISIONS

DLG Guidelines for Payment of Expenses and Provision of Facilities

This policy takes into account the following Circulars:

- Circular 05108 - Legal assistance for Councillors and Council employees.
- Circular 02134 - Unauthorised use of Council resources.
-

These guidelines replace Circular 04160 Policy on payment of facilities to the mayor, deputy mayor and other councillors.

Model Code of Conduct

This is consistent with the Model Code of Conduct for Local Councils in NSW, Department of Local Government, and Council's Code of Conduct which implements the Model Code.


The part of the Model Code headed 'Use of Council resources' is particularly relevant to s252 policies, and is implemented by the Council's Code of Conduct.

ICAC publications

Councillors should also be aware of and take account of the Independent Commission against Corruption (ICAC) publication No Excuse for Misuse, Preventing the Misuse of Council Resources (Guidelines 2), November 2002.

This publication is available on the ICAC website at www.icac.nsw.gov.au.

SECTION ~~1~~ ~~Service Management~~
PART ~~8~~ ~~Financial Accountability~~

	POLICY NO:	1.8.5(v4)
	POLICY TITLE:	Expenses & Facilities for Mayor & Councillors
	DATE ADOPTED:	24/09/2012
	RESOLUTION NO:	445/2012
	SUPERCEDES:	1.8.5(3) Adopted: 24/09/2011 Resolution No: 292/2011
	PROPOSED REVIEW DATE:	24/09/2013

BACKGROUND

~~Council's Mayoral and Councillor Expenses and Facilities Policy was adopted in February 2007 and underwent review in February 2008 to ensure the policy meets reporting obligations and the Department of Local Government's Guidelines for payment of expenses and provision of facilities for Mayors and Councillors for Local Councils in NSW.~~

~~The current policy was adopted on the 26th September 2011.~~

Changes to the previous policy include:-

- ~~• Determination of specific expenses for which Councillors are entitled to receive reimbursement~~
- ~~• Giving public notice and allowing 28 days for public submissions~~
- ~~• Addressing Access, Equity and Participation issues~~
- ~~• Inclusion of definitions~~

DEFINITIONS

Reasonable: ~~Council must make sound judgement and consider what is prudent, responsible and acceptable to the community when determining levels of facilities and expenditure, so there is no excessive use or abuse of public funds.~~

Facility: ~~Facilities provided by Council to Councillors are the "tools of trade" required to enable them to perform their duties with relative ease and at a standard appropriate to fulfil their professional role for the community.~~

Expenses: ~~These are payments made by Council to reimburse Councillors for their reasonable expenses incurred or to be incurred, when discharging their duties as Councillors. These payments are not regarded as salary and may be either reimbursed to Councillors or paid direct by Council, for something that is deemed a necessary cost or charge when performing their roles.~~

Accountability and Transparency: ~~Council must seek community submissions prior to adopting the policy, by publishing it in the local newspaper and making it available on Council's website for a period of 28 days.~~

REPORTING REQUIREMENTS

~~In accordance with the Local Government Act 1993, Council shall include in its Annual Report:-~~

- ~~• the total amount of money expended during the year on Mayoral and Councillors fees~~
- ~~• Council's policy on Expenses and Facilities for the Mayor and Councillors~~
- ~~• The total amount of money expended during the year in providing facilities and in payment of expenses~~
- ~~• Details (including the purpose) of any overseas visits undertaken during the year by Councillors (also Council staff or other persons) representing Council. It must also include any visits sponsored by other organisations.~~
- ~~• Report to be submitted to the Department of Local Government by 30th November annually.~~

~~PUBLIC NOTICE AND ADOPTION OF THIS POLICY~~

~~This policy is made under the Local Government Act 1993 and requires Council to:-~~

- ~~• give public notice of such intention by advertising the draft in the local newspaper and placing on Council's website, allowing 28 days for any public submissions~~
- ~~• consider any submissions received and make any appropriate changes to the policy~~
- ~~• forward the adopted policy and details of submissions to the Director General of the Department of Local Government within one month of the adoption.~~

~~OBJECTIVES~~

~~The objectives of Council's policy are to:-~~

- ~~• Ensure accountability and transparency in the payment of expenses and provision of facilities to Councillors~~
- ~~• Ensure that Councillors are reimbursed for all expenses legitimately incurred in performing that role up to agreed levels~~
- ~~• Establish clear guidelines regarding the provision of reasonable facilities and equipment to Councillors and the permitted use of such facilities and equipment~~
- ~~• Ensure equity and access for Councillors regardless of their background, role in the community, or any special needs an individual may have.~~

~~ANNUAL FEES~~

~~Annual Fees and Expenses~~

~~The Local Government Tribunal has adopted the principle that expenses reasonably incurred by Councillors are outside the provisions made under the annual fee determinations.~~

~~Annual Fee Payable to Councillors~~

~~Council shall, prior to 30th June each year, set by resolution, the annual fees to be paid, monthly in arrears, to a Councillor for the following year commencing 1st July. Such a fee will be within the range for Council as determined annually by the Local Government Remuneration Tribunal. These payments will be subject to Section 254A of the Local Government (General) Regulations 2005.~~

~~Annual Fee Payable to the Mayor~~

~~Council shall, prior to 30th June each year, set by resolution, the annual fees to be paid, monthly in arrears, to a Councillor for the following year commencing 1st July. Such a fee will be within the range for Council as determined annually by the Local Government Remuneration Tribunal.~~

~~Annual Fee Payable to the Deputy Mayor~~

~~The Deputy Mayor shall be paid a daily pro rata fee equivalent to the daily Mayoral fee for the periods of time when the Mayor advises that he is prevented by absence, illness or otherwise, from acting in, or when the Mayor requests the Deputy to act in, the office of the Mayor. The amount of the fee paid to the Deputy Mayor shall be deducted from the Mayor's Annual Fee.~~

~~POLICY STATEMENT~~

~~Bourke Shire Council is committed to ensuring that Councillors will not be financially disadvantaged when carrying out the requirements of their role as Councillor, whilst taking into account community expectations and Council's geographic location and economy.~~

~~POLICY GUIDELINES~~

~~Approval Arrangements~~

~~To prevent potential conflicts, approval for discretionary trips and attendance at conferences and training etc shall where possible, be approved by a full meeting of Council. If this is not possible, then the approval should be given jointly by the Mayor and the General Manager. If the Mayor requires approval to travel outside of Council, other than to represent Council at meetings, approval should be given jointly by the Deputy Mayor or another Councillor and the General Manager. Any approval for attendances at Conferences, seminars etc outside of Council Meetings will be reported to the next Council Meeting and include reasons for approval being granted.~~

~~Approval to meet expenses will only be given when the function is relevant to Council's interests. No approval will be given for any cost component that is additional, or not relevant to, the service cost of the function. The Mayor, in conjunction with the General Manager, is authorised under this policy to attend the following meetings:-~~

- ~~• Annual Conference of the Shires Association of NSW~~
- ~~• Annual Conference, Mini Conference and the Mid Term Meeting of the Western Divisions Group of the Shires Association of NSW~~
- ~~• Barwon Darling Alliance Meetings~~
- ~~• Murray Darling Association Meetings~~
- ~~• Orana Regional Organisation of Councils Meetings~~
- ~~• Lower Macquarie Water Utilities Alliance Meetings~~

~~Councillors who are delegates to approved regional bodies are also authorised to attend and represent Council at meetings of those bodies, and include:~~

- ~~Kidman Way Promotional Committee~~
- ~~Lower Macquarie Water Utilities Alliance~~
- ~~Outback Regional Tourism Organisation~~
- ~~Outback Arts~~
- ~~Orana Regional Organisation of Councils~~

~~Payment of Expenses~~

~~General~~

~~Councillors must submit any claims for reimbursement for their expenses within 60 days from the date of the receipt, invoice or voucher.~~

~~Reimbursement and Reconciliation of Expenses~~

~~Reimbursement of costs and expenses to Councillors are only to be made on the production of appropriate receipts and tax invoices, and the satisfactory completion of the required claim forms. Expenses and costs incurred must be in accordance with the requirements of this policy.~~

~~Payments in Advance~~

~~Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Requests for an advance payment for the cost of any other service or facility covered by this policy may be made, however Councillors must fully reconcile all expenses against the cost of the advance within the above time limit. Allowance type payments are not payable in any circumstances.~~

~~Expense Limits~~

~~The following apply as monetary limits to expenses, excluding costs of travel and accommodation to Council meetings, committees and conferences at which the Councillor is appointed to represent Council and attends the event:-~~

Expense	Mayor	Deputy Mayor	Councillors
	Maximum Annual Expense Limits		
Monetary Limit	\$ 3000	\$2000	\$1000

~~Facilities Availability~~

~~The following facilities are available to the Mayor and Councillors as designated:-~~

Facility	Mayor	Deputy Mayor	Councillors
	Provision of facilities for Council Business Use NB: Equipment remains the property of Council		
Laptop computer	Available	Available	Available
Facsimile machine	Available	Available	Available
Dedicated Vehicle (with fuel card)	Council Business only	Not Available	Not Available
Furnished Mayoral Room (Conference Room)	Available	Available by booking	Available by booking
Secretarial / administrative support	Available	Available at the discretion of the GM	Available at the discretion of the GM
Stationery, office supplies,	Available	Available	Available

postage, business cards and other similar consumables			
Corporate Clothing	Available at discretion of GM	Available at discretion of GM	Available at discretion of GM
Meals / refreshments related to Council Meetings, Office Functions and Committee or Work Group Meetings	Available	Available	Available
Ceremonial Garb	Available	Not Available	Not Available
Use of Council Chambers	When free for use	When free for use	When free for use
Mobile Phone	Available	Not Available	Not Available
Provision of Council vehicle to attend conferences, training or seminars	Dedicated vehicle	To be pre arranged and dependent upon operational needs	To be pre arranged and dependent upon operational needs
Equity of Access – disabled, hearing and sight impaired	Reasonable Resources	Reasonable Resources	Reasonable Resources

~~Allowances, Expenses and Motor Vehicle Availability~~

~~In accordance with the Local Government Act, this policy does not permit:-~~

- ~~the payment to any Councillor of an allowance in the nature of a general expense or allowance~~
- ~~the exclusive or primary use of a motor vehicle by any Councillor other than the Mayor.~~

~~Attendance at Conferences and Seminars~~

~~Attendance at Annual Conferences of Local Government and Shires Association will normally be undertaken by the Mayor.~~

~~Councillors may be nominated to attend Conferences, Seminars and similar functions relevant to Council's interests by:-~~

- ~~Resolution of Council~~
- ~~Approval by the Mayor (and another person as noted above), and subject to budget availability.~~

~~Councillors will be required to provide to the General Manager, a written report within two weeks of the function to Council, for inclusion in the Business Papers for the next Council Meeting.~~

~~Where attendance at other functions is relevant to Council's interests by reason of briefings, information or networking with key community members, business identities or politicians, approval may also be given by Council. Such approval will extend to the cost of the function, but not to political donations.~~

~~Council will pay the conference registration fees, including the costs of related official meals or activities where these are relevant to the business and interests~~

~~of Council. The reasonable costs of transport and accommodation associated with conference attendance will also be met, as will meals when not included in the conference fees.~~

~~The annual monetary limit does not apply if the Councillor has been authorised to attend to represent the Council. Otherwise, the annual monetary limit applies.~~

~~If a Councillor commits to attend a function but withdraws without authorisation of the Mayor or General Manager, all associated costs (e.g. registration, accommodation, travel) which cannot be recouped will be subject to the annual monetary limit or at the direction of Council may be recouped from the Councillor.~~

Meals

~~The maximum allowance for meals shall be in accordance with the Food and Drink provisions of Table 2, Australian Taxation Office's Determination for the reasonable travel and meal allowance expense amounts for the applicable financial year.~~

Accommodation

- ~~• Generally, the accommodation where the conference or training is, should be utilised. Where this is not possible the maximum NRMA star rating for accommodation will be four (4). Only if suitable accommodation within reasonable proximity from the function is not available, will a higher rating be utilised.~~
- ~~• Accommodation will only be covered by Council for the time reasonably required to attend the applicable function and to meet travel deadlines associated with attending the function~~
- ~~• Accommodation expenses may include parking fees associated with vehicles used to attend the function and charged by the accommodation house or associated parking provider.~~

Training and Educational Expenses

~~Each Councillor will be encouraged to undertake at least one Professional Development Course every year, and a Councillor Training Plan may be prepared by the General Manager each year based on funds allowed within the annual estimates of Income and Expenditure.~~

~~The annual monetary limit applies, but training supplied to newly elected Councillors will be treated as an additional expense.~~

Telephone Costs and Related Expenses

~~Council will reimburse Councillors for telephone and facsimile costs accrued on behalf of Council, where suitable documentation detailing the call and its cost is provided to Council. This does not extend to internet use.~~

~~The annual monetary limit applies.~~

All Travel Arrangements outside Bourke Shire

- ~~• At all times, the option that provides the most economical benefit to Council must be considered, i.e. cost of using private vehicle as opposed to~~

~~economy class air fare and associated taxi fares or vehicle hire etc, and Council vehicle.~~

- ~~• The driver is responsible for all traffic or parking fines~~

~~Local Travel Arrangements~~

~~Persons using private vehicles will be paid the kilometre allowance at the then current rate set by the appropriate Local Government (State) Award from time to time, but subject to the most direct route being taken.~~

~~Travel by motor vehicle may be undertaken in a Council vehicle (where required and if available), subject to prior approval from the General Manager.~~

~~The annual monetary limit applies for travel other than to attend meetings and other functions at which the Councillor is authorised to represent Council.~~

~~Travel outside the local government area including interstate travel~~

~~All reasonable travel costs will be met by Council subject to prior Council approval. Where appropriate, travel will be provided by air (economy class).~~

~~Costs of vehicle hire, taxi fares, public transport, road tolls or parking costs which are reasonably incurred while attending Council business will be reimbursed by the Council.~~

~~The annual monetary limit applies for travel other than to attend meetings and other functions at which the Councillor is authorised to represent Council.~~

~~Care and other access & equity related expenses~~

~~Council will meet reasonable costs of facilitating access to Council premises, functions and activities where, by reason of disability, care-giver role or other special need, a Councillor would not otherwise have equity of access with other Councillors. Such support will allow the fullest participation reasonably possible.~~

~~Insurance~~

~~Council will provide insurance cover through Statewide Mutual Insurance Cooperative for:~~

- ~~• Public liability for liabilities that might arise from performance of civic duties and/or exercise of council functions~~
- ~~• Professional indemnity for liabilities that might arise from performance of civic duties and/or exercise of council functions~~
- ~~• Personal Injury whilst on council business~~
- ~~• Travel insurance for approved flights~~

~~Legal Expenses and Obligations~~

~~Council will either indemnify or reimburse the reasonable legal expenses for:-~~

- ~~• a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (Section 731); or~~
- ~~• a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act; or~~

- ~~• a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor~~

~~Motor Vehicle~~

~~Council provides a fully serviced and maintained motor vehicle, including a Council fuel card for the use by the Mayor on Council business. The Mayor has no authority to use the vehicle for private use. The vehicle provided may be an automatic 4WD station wagon or similar SUV type vehicle.~~

~~This vehicle may also be utilised for Council's fleet allocations during times of shortage and when not required for Mayoral use.~~

~~This vehicle will be replaced in accordance with Council's Motor Vehicle Policy at the most economical benefit to Council.~~

~~Spouse / Partner Expenses~~

~~There are limited instances where certain reasonable costs incurred by a Councillor for their spouse, partner or accompanying person are properly reimbursable by Council:-~~

- ~~• Where the costs relate to attendance at official council functions of a formal and ceremonial nature and occur within Bourke Shire. Such functions would be those which a Councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples could include but are not limited to: Citizenship ceremonies, civic receptions and charitable functions supported by Council;~~
- ~~• In relation to Local Government and Shires Associations' annual conferences, costs would be limited to the cost of registration and the official conference dinner. Travel, any additional accommodation, and the cost of partner/accompanying person tours etc would be the personal responsibility of individual Councillors;~~
- ~~• Where the costs relate to attendance outside Bourke Shire, but within the State, e.g. charitable functions, award ceremonies and other functions to which the Mayor has been invited and is representing the council, reimbursable costs are confined to the ticket, meal or direct cost of attending the function. Reimbursable costs do not extend to items such as special clothing, grooming or transport.~~

~~Apart from where defined above, other accompaniment costs outside Bourke Shire will not be reimbursed.~~

~~Child Care and Carer's Expenses~~

~~In line with equity access, Council will reimburse the reasonable cost of Child Care or Carer's expenses, to allow the Councillor to attend any Council, Standing Committee, Advisory Committee Meeting or Council workshops.~~

~~Reimbursement claims must be supported by receipts.~~

~~Use, Return and Acquisition of Equipment~~

~~Councillors should not generally obtain private benefit from the provision of equipment and facilities, nor from any travel bonus or other such loyalty schemes, but it is acknowledged that incidental use of such equipment and facilities may occur from time to time. This private use will not attract reimbursement. Private use also includes the production of election material or material for other political purposes.~~

~~Laptops, printers or facsimile machines may be provided to Councillors for business use only, and Council shall:-~~

- ~~• meet the capital cost of acquisition of the equipment~~
- ~~• meet the initial cost of installation of the equipment in the residence~~
- ~~• meet the cost of any maintenance / servicing of the equipment including any service call charge~~
- ~~• be responsible for providing reasonable consumables, e.g. paper and toners for the equipment~~

~~Councillors will be responsible for the good care and proper use of such equipment and are to promptly report to Council any faults, malfunctions or the needs for service or repairs.~~

PRÉCIS OF CORRESPONDENCE

File No:	H6.2
Report: 925/2013	Request For Support National Anti-racism Campaign
Author:	Gillian Triggs, President & Acting Race Discrimination Commissioner

Request for Council to become a supporter of the national anti-racism campaign, *Racism It Stops With Me*, led by the Australian Human Rights Commission.

Recommendation:
For Council's consideration

File No:	L8.1
Report: 926/2013	Changes To Local Government (Early Intervention) Act 2013 & Service NSW (One-stop Access to Government Services) Act 2013
Author:	Graeme Kelly, General Secretary, United Services Union

Letter from United Services Union regarding updates on the Local Government (Early Intervention) Act 2013 and the Service NSW (One-stop Access to Government Services) Act 2013.

Recommendation:
That Council note the information regarding updates to the Local Government (Early Intervention) Act 2013 and the Service NSW (One-stop Access to Government Services) Act 2013.

File No:	A7.3, D5.2
Report: 927/2013	Request For Participation In United Services Union White Ribbon Initiative
Author:	Graeme Kelly, General Secretary, United Services Union

Request for Council's participation in the United Services Union White Ribbon Initiative in support of White Ribbon Australia Foundation.

Recommendation:
For Council's consideration

File No:	D5.2
Report: 928/2013	Community Contribution – Missionaries of Charity
Author:	Sr Jovier MC - Missionaries of Charity

Requesting financial assistance to the amount of \$2,240.00 to cover the cost of the rates for the 2013/2014 financial year as well as any interest accrued

Recommendation:

That Council approve the application to pay Rates and Charges of \$2,240.00 for the Missionary of Charity. The funds are to be taken for Community Contribution budget item.

CLOSED SESSION

File No:	T6.1, T6.2
Report: 112/2012	Purchase of (1) Quad Axle Low Loader with Spread Deck Tender 02/14 - CONFIDENTIAL
Responsible Officer:	Mark Gordon, Manager of Roads

The subject report is proposed to be held in Closed Session under Section 10A (2) (d) (i) of the Local Government Act, 1993 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Recommendation:

That the report be considered in Closed Council under Section 10A (2) (d) (i) of the Local Government Act, 1993 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

File No:	T3.1, P3.2
Report: 113/2012	Plant Hire - CONFIDENTIAL
Responsible Officer:	Mark Gordon, Manager of Roads

The subject report is proposed to be held in Closed Session under Section 10A (2) (d) (i) of the Local Government Act, 1993 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Recommendation:

The subject report is proposed to be held in Closed Session under Section 10A (2) (d) (i) of the Local Government Act, 1993 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

File No:	B6.12, B6.12.1
Report: 114/2012	Naming of the Bogan River Bridge at Beemery - CONFIDENTIAL
Responsible Officer:	Mark Gordon, Manager of Roads

The subject report is proposed to be held in Closed Session under Section 10A (2) (d) (i) of the Local Government Act, 1993 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

The construction of the Bogan River Bridge situated 43 km east of Bourke on the Kamilaroi Highway was completed in late 2012 and officially opened on the 20th December 2012 by the Hon. Kevin Humphreys M.P. Minister for Mental Health and Minister for Western New South Wales.

The bridge has yet to be named and the opportunity exists for Council to submit appropriate suggestions to the Roads and Maritime Services in that regard.

Recommendation:

That in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the business to be discussed during the meeting is of a kind referred to in Section 10A (2) (a) of the Local Government Act, 1993; personnel matters concerning particular individuals (other than Councillors).

File No:	
Report: 507/2013	Proposed Property Development North Bourke
Responsible Officer:	Phil Johnston Manager Economic Development and Tourism

The subject report is proposed to be held in Closed Session under Section 10A (2) (d) (i) of the Local Government Act, 1993 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and as such should be considered in closed Council.

Recommendation:

That in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the business to be discussed during the meeting is of a kind referred to in section 10(A)(2)(d)(i)- commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and as such should be considered in closed Council.

File No:	R2.1, D1.1, R2.4
Report:447/2013	Outstanding Rates, Water and Debtor Accounts
Responsible Officer:	Leonie Brown, Manager Corporate Services

The following report is proposed to be held in Closed Session under Section 10A (2) (b) of the Local Government Act, 1993 personal hardship of any resident or ratepayer.

Presented for Councillor's information are the outstanding Rates, Water and Sundry Debtor reports for 30th June 2013.

Recommendation:

That in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the business to be discussed during the meeting is of a kind referred to in Section 10A (2) (a) of the Local Government Act, 1993; personnel matters concerning particular individuals (other than Councillors) and 10A (2) (b)the personal hardship of any resident or ratepayer
