



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Monday, 24 August 2020
Time: 9:15am
Location: Bourke Shire Council
29 Mitchell Street Bourke NSW

BUSINESS PAPER

Ordinary Council Meeting

24 August 2020

Ross Earl
General Manager

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DECLARATION OF INTEREST FORM

COUNCIL OFFICIAL

FOR USE AT COUNCIL AND COUNCIL MEETINGS

NAME OF COUNCIL OFFICIAL DECLARING INTEREST:
ACTION PROPOSED:
<p>Tick one box only:</p> <p><input type="checkbox"/> In my opinion, my interest is pecuniary, and I am therefore required to take the action specified in Part 4 of Council's Code of Conduct.</p> <p><input type="checkbox"/> In my opinion, my interest is non-pecuniary but significant. I am unable to remove the source of conflict. I am therefore required to treat the interest as if it were pecuniary and take the action specified in clause 5.10 of Council's Code of Conduct.</p> <p><input type="checkbox"/> In my opinion, my interest is non-pecuniary and less than significant. I therefore make this declaration as I am required to do pursuant to clause 5.11 of Council's Code of Conduct. However, I intend to continue to be involved with the matter.</p>
COUNCIL OFFICIAL
<p>I, _____ (name of COUNCIL OFFICIAL) disclose the above interest and acknowledge that I will take appropriate action as I have indicated above.</p> <p>Signed: _____ Date: _____</p>
GENERAL MANAGER – required for all declarations:
<p>I have noted the above declaration and I note your opinion and/or the action you have proposed.</p> <p>Signed: _____ Date: _____</p>
DEFINE YOUR INTEREST:
<p>Is your interest:</p> <p><input type="checkbox"/> Pecuniary (see dealing with pecuniary interests)?</p> <p><input type="checkbox"/> Non pecuniary (see dealing with non-pecuniary interests)</p>
MATTER IN WHICH YOU HAVE AN INTEREST: (Please provide full details, including item number on Council agenda)
NAME OF THE INTEREST:
<p>Be specific and include information such as:</p> <ul style="list-style-type: none"> - The names of any person or organisation with which you have a relationship; - The nature of your relationship with the person or organisation; - The reason(s) why you consider the situation may (or may be perceived to) give rise to a conflict between your personal interests and your public duty as a COUNCIL OFFICIAL .

<p>MANAGING LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS:</p> <p>Clause 5.11 of Council’s Code of Conduct provides that if you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide an explanation of why you consider that conflict does not require further action in the circumstances.</p>
<p>IS YOUR NON-PECUNIARY INTEREST LESS THAN SIGNIFICANT?</p> <p>If you are of the view that your non-pecuniary interest is less than significant, please provide your explanation directly below (only complete if you are claiming that your non-pecuniary interest is less than significant).</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>DEFINITIONS:</p> <p>A PECUNIARY INTEREST is an interest that a designated person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person (see Part 4 of Council’s Code of Conduct).</p> <p>A NON-PECUNIARY INTEREST is a private or personal interest that does not amount to pecuniary interest as defined by Part 5 of Council’s Code of Conduct.</p>
<p>MANAGING PECUNIARY INTERESTS:</p> <p>Part 4.10 of Council’s Code of Conduct requires designated persons to declare in writing to the General Manager the nature of a pecuniary interest the person has in any Council matters, as soon as practicable after becoming aware of the interest.</p>
<p>MANAGING SIGNIFICANT NON-PECUNIARY INTERESTS:</p> <p>Clause 5.10 of Council’s Code of Conduct provides that you must manage a significant non-pecuniary interest by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29 of the Code.</p>
<p>MANAGING NON-PECUNIARY INTERESTS:</p> <p>Clause 5.8 of Council’s Code of Conduct states that how you manage a non-pecuniary interest will depend on whether or not it is significant. Clause 5.9 of Council’s Code of Conduct states that, as a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but involves:-</p> <ul style="list-style-type: none"> a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 of the Code or another person from the council official’s extended family that the council official has a close personal relationship with, or another person living in the same household; b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship; c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official’s affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation; d) membership, as the council’s representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter; e) a financial interest (other than an interest of a type referred to in clause 4.6 of the Code) that is not a pecuniary interest for the purposes of clause 4.1 of the Code; f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

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- 1 OPENING PRAYER**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 REMEMBRANCE**
- 4 APOLOGIES**
- 5 DECLARATION OF INTEREST**

6 MAYORAL MINUTE

6.1 MAYORAL MINUTE - APPOINTMENT OF GENERAL MANAGER

File Number: G2.1-S6.30
Author: Barry Hollman, Mayor
Authoriser: Barry Hollman, Mayor
Attachments: Nil

Background

Councillors are aware that Council's General Manager, Ross Earl advised in February that he would not be seeking the renewal of his contract which expires on the 12th October 2020.

Council has looked at options for the replacement of Mr Earl and following the receipt of a report from me at the July Meeting Council resolved as follows:-

- 1. That the Mayor and Deputy Mayor be delegated authority to negotiate the appointment of a short-term appointment for the position of General Manager for a period of no longer than twelve (12) months commencing February 2021*
- 2. That the total remuneration be within the parameters detailed in the report to Council dated 22nd June 2020*
- 3. That the Manager of Corporate Services Leonie Brown be appointed as Acting General Manager in the interim period before any appointee starts in the permanent role.*

Current Situation

The Deputy Mayor and myself have acted in accordance with the above resolution and have negotiated the appointments as follows:-

1. Leonie Catherine Brown will undertake the role of Acting General Manager of Bourke Shire Council for the period of 13 October 2020 until February, 7 2021 in accordance with the provisions of section 351 of the Local Government Act 1993
2. Mark Geoffrey Riley be appointed General Manager of Bourke Shire Council from 8 February 2020 up until 4 February 2021 in accordance with the provisions of Section 338 of The Local Government 1993

Financial Implications

The provision of funding for the employment of a General Manager is included in the adopted Operational Plan of Council.

Recommendation

- 1. That Council confirm the appointment of Leonie Catherine Brown as Acting General Manager of Bourke Shire Council for the period of 13 October 2020 until February 7 2021 in accordance with the provisions of sections 336 and 338 of the Local Government Act 1993.**
- 2. That Council confirm the appointment of Mark Geoffrey Riley as General Manager of Bourke Shire Council from 8 February 2020 until 4 February 2021 in accordance with the provisions of Sections 336 and 351, of The Local Government 1993.**

6.2 DELEGATIONS OF AUTHORITY - GENERAL MANAGER

File Number:	A3.8-S6.30
Author:	Barry Hollman, Mayor
Authoriser:	Barry Hollman, Mayor
Attachments:	1. General Manager's Delegations

Background

The Local Government Act 1993 under section 377 enables Council to delegates its functions to enable the smooth operation of Council

377 General power of the council to delegate

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following--

(a) the appointment of a general manager,

(b) the making of a rate,

(c) a determination under [section 549](#) as to the levying of a rate,

(d) the making of a charge,

(e) the fixing of a fee,

(f) the borrowing of money,

(g) the voting of money for expenditure on its works, services or operations,

(h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),

(i) the acceptance of tenders to provide services currently provided by members of staff of the council,

(j) the adoption of an operational plan under [section 405](#),

(k) the adoption of a financial statement included in an annual financial report,

(l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,

(m) the fixing of an amount or rate for the carrying out by the council of work on private land,

(n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,

(o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),

(p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under [section 194](#),

(q) a decision under [section 356](#) to contribute money or otherwise grant financial assistance to persons,

(r) a decision under [section 234](#) to grant leave of absence to the holder of a civic office,

(s) the making of an application, or the giving of a notice, to the Governor or Minister,

(t) this power of delegation,

(u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

(1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if--

- (a) the financial assistance is part of a specified program, and*
- (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
- (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
- (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*

(2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.

(3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.

Current Situation

Council has provided the current General Manager, Ross Earl, with delegations that allow for the conduct of Councils business as efficiently and expediently as possible. On the basis that Council adopts my report in respect of the appointment of the General Manager, it is proposed that the same delegations be provided to Leonie Brown and Mark Riley when they are in the position of General Manager.

The delegations to Ross David Earl are attached.

Financial Implications

There are no significant financial implications.

Recommendation

- 1. That Council provide Leonie Catherine Brown with the Delegations of Authority as currently provided to the General Manager, Ross David Earl, with such delegations to be effective for the period 13 October 2020 to 7 February 2020.**
- 2. That Council provide Mark Geoffrey Riley with the Delegations of Authority as currently provided to the General Manager, Ross David Earl, with such delegations to be effective for the period 8 February 2020 to 4 February 2021.**

SECTION 1 Service Management
PART 5 Delegation of Authority



General Manager's Delegations

Policy No: 1.5.3 (v7)
Date Adopted: 29/04/2019
Minute No: 132/2019
Supersedes: 1.5.3 (v6) General Manager – Delegations
Adopted: 24/09/2012
Resolution No: 446/2012
Proposed Review Date: 29/04/2020
Responsible Officer: Mayor

Verified by General Manager 

Verified by Mayor 

BACKGROUND

In accordance with Section 335 of the Local Government Act, 1993, the General Manager shall be generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council. The General Manager shall have the following particular functions:-

- (i) the day-to-day management of the Council;
- (ii) to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- (iii) to appoint staff in accordance with an organisation structure and resources approved by the Council. (The General Manager may appoint or dismiss Senior Staff only after consultation with the Council);
- (iv) to direct and dismiss Staff; and
- (v) to implement the Council's equal employment opportunity management plan.

POLICY

Bourke Shire Council in order to provide for the expedient exercise of its powers and duties and the efficient management of its business and responsibilities hereby delegates to in accordance with the provisions Section 377 of the Local Government, 1993, *Ross David Earl*, the employee of the Council in whom the Council has vested the function of **GENERAL MANAGER**, the authority to exercise the powers, functions duties and responsibilities arising from legislation specified in schedule 1 below, subject to the limitations in Schedule 2, below.

Schedule 1

The powers, functions, duties and authorities of the Council as specified in:-

- (i) the Local Government Act and Regulations, and
- (ii) all other Acts and Regulations under which Council has powers, authorities, duties and functions.

Schedule 2

- 1 Limitations arising from the provisions of the Local Government Act 1993 and all other legislation relevant to this delegation of authority.
- 2 All resolutions from time to time of Council directing the General Manager from time to time in the exercise of any powers, authorities, duties and functions.

RELATED POLICIES

1.5.1(v8) Mayors Delegation

1.5.2(v8) Deputy Mayors Delegation

6.3 * MAYORAL MINUTE - ACTIVITY REPORT**

File Number: M1.1
Author: Barry Hollman, Mayor
Authoriser: Ross Earl, General Manager
Attachments: Nil

Date	Meeting	Location
11/08/2020	Minister for Better Regulation and Innovation - Invitation to participate in OLG COVID-19 Local Government Update	Webinar
11/08/2020	Airlink Workshop	Zoom Meeting
11/08/2020	Greg Lamont - Far West Tourism Strategy MTG	Microsoft Teams Meeting
13/08/2020	COVID-19 Council UPDATE	Zoom Meeting
19/08/2020	Media Event with Mark Coulton and Minister Pitt - Bourke and Brewarrina to Benefit from Murray-Darling Basin Grants Program	Bourke War Memorial Swimming Pool

Recommendation

That Council notes the information in the Mayoral Activity Report as presented to Council on Monday, 24 August 2020.

7 STARRING OF ITEMS

8 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 27 July 2020

9 NOTICE OF MOTION

Nil

10 RESCISSION MOTION

Nil

11 BUSINESS ARISING

11.1 *BUSINESS ARISING**

File Number: C12.1
Author: Kai Howard-Oakman, Executive Assistant
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Business outstanding from previous meetings of Council

Current Situation

KEY: Action still pending Action

GM General Manager	AMIP Acting Manager Infrastructure & Projects
MCS Manager Corporate Services	MES Manager Environmental Services
MCE Manager Community Engagement	MW Manager Works

206/2013	Review of Organisational Structure
Responsible Officer	Ross Earl - General Manager
File Number	S6.41
DECISION	
ACTION TAKEN	
That the position descriptions of all employees be updated to reflect current duties performed and requirements of the organisation.	In progress

182/2018	Disposal of Assets to Whiddon Group
Responsible Officer	Leonie Brown - Manager of Corporate Services
File Number	A11.1
DECISION	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. That Council transfer the land made up of Lot 1 DP 1145233, Lot 2 Section 11 DP 758144, Lot 3 Section 11 DP 758144, Lot 2 DP 227656 to The Frank Whiddon Masonic Homes Group for \$1.00 with the following conditions:- 2. Registration of a restriction on use/positive covenant which imposes a requirement that the land is used only for the provision of aged care facilities/services; 3. Execution of a deed between Council and The Frank Whiddon Masonic Homes Group that imposes an obligation on The Frank Whiddon Masonic Homes Group to retransfer the land to Council in the event that The Frank Whiddon Masonic Homes Group proposes to sell the land to a third party (except with prior approval of Council); and 4. Registration of a caveat over the land to protect Council's interests referred to in the Deed referred to in 2. Above. 	<p>Ongoing</p> <p>Refer to Resolution 2020/168</p> <p>Deed and caveat prepared</p>

321/2018	Renaming Senior Citizens Building to Bourke Community Centre
Responsible Officer	Ross Earl - General Manager & Dwayne Willoughby - Manager Environment Services
File Number	A11.2.24
DECISION	
1. That a Plan of Management for the Bourke Community Centre be developed which details the allowable uses of the building and the fee required to be paid for the use and any bond that need to be lodged. 2. That the Plan of Management be submitted to Council on completion for their endorsement	ACTION TAKEN Ongoing

362/2018	Biodiversity Conservation Act 2016 - update
Responsible Officer	Dwayne Willoughby - Manager Environmental Services
File Number	E6.1-E6.4-L8.1
DECISION	
1. That Council undertake a review of the potential impact on the sale of land held for industrial development including obtaining specialist advice as appropriate. 2. That on finalisation of that review a further report be brought back to Council	ACTION TAKEN Continue to lobby Government

394/2018	Western Local Health District (WLHD)
Responsible Officer	Mayor Hollman & Ross Earl - General Manager
File Number	H1.1
DECISION	
That Council contact the WLHD further requesting the information that was not received in its previous letters:- 1. Effects on mothers of giving birth away from Country 2. Results of any patient satisfaction survey 3. Location of Plant & Equipment previously used in Birthing Unit at Bourke District Hospital 4. Details of the model of care in place at present	ACTION TAKEN To be followed up

427/2018	Proposed Change of Management of the PCYC
Responsible Officer	Ross Earl - General Manager & Dwayne Willoughby – Manager Environmental Services
File No	L1.17-Y1.7-LD-L11.14.3
DECISION	
That the General Manager prepare a detailed report in relation to the matter, including the seeking of legal advice if necessary	ACTION TAKEN In progress Teleconference held 20/08/2020

156/2019	Confidential – Construction of Sewerage Treatment Plant Facilities	
Responsible Officer	Ross Earl - General Manager & Peter Brown - Manager of Works	
File No	S3.2.3	
DECISION		ACTION TAKEN
That Council continue with its representations to obtain funding for the additional costs anticipated to be incurred in the construction of the new Additional Sewage Treatment Facilities in Bourke		Ongoing

251/2019	Bourke Rams Clubhouse	
Responsible Officer	Dwayne Willoughby - Manager Environmental Services	
File No	P1.5-S4.6	
DECISION		ACTION TAKEN
That Council give in principle support to the proposal and a report be brought back to Council providing further details in relation to exact location, size of building and inclusions.		Ongoing

274/2019	Drought – Water Update	
Responsible Officer	Ross Earl – General Manager	
File No	W2.2.9 – W2.2.9.1	
DECISION		ACTION TAKEN
That the General Manager write to the State Government seeking their urgent consideration of the construction of a regulator or additional weir including a fish ladder upstream of Bourke at a location identified as BU8		Letter sent & meeting held

2019/362	Notice of Motion - Bourke Water Security Options	
Responsible Officer	Ross Earl, General Manager	
File No	W2.2.9	
DECISION		ACTION TAKEN
<p>Council engage an appropriately qualified consultant to cost and complete a scoping/design study for a shovel ready plan to secure the water supply from the Darling River for the towns and villages situated on the river for the Bourke Shire Council area.</p> <p>All water supply options from previous reports and added new ideas to be discussed within Council, with agreed options forwarded to the consultants for further analysis. That the study be completed in a timely matter to allow council to lobby Federal and State Governments for Funding Assistance for water security options for Bourke Shire Council’s future water needs.</p> <p>Bourke Shire Council allocate \$250,000 towards the scoping/design study, to be met from the Water Fund Reserve and that the State Government also be asked to make a contribution.</p>		Awaiting information from NSW Water on Western Weirs Strategy

2019/439	North Bourke Bridge Rehabilitation Concept Plan
Responsible Officer	Ross Earl, General Manager
File No	B6.1
DECISION	
Council continue to apply for funding to undertake the project	ACTION TAKEN See General Manager's August Report

2020/57	Road Classification Review
Responsible Officer	Mark Riley, Acting Manager Infrastructure Projects
File No	R7.4.3
DECISION	
Following the receipt of the Independent Panels Background Paper on the Regional Road Transfer and NSW Road Classification Review and submissions invited in respect of priority road transfers, a further report be submitted to Council for its consideration.	See AMIP July 2020 Report Ongoing

2020/111	Dual Naming of the Darling River – Darling River Baaka
Responsible Officer	Ross Earl, General Manager
File No	R6.5
DECISION	
<ol style="list-style-type: none"> That Council forward a copy of the motion regarding the dual naming of the Darling River to the Minister for his consideration during the determination process. That Council seek further clarification on which section of the Darling River will be dual named Baaka and will the name be Darling Baaka River / Baaka Darling River or Darling River Baaka. 	Ongoing

2020/193	*** Request for Rental Assistance – Item 22.4
Responsible Officer	Ross Earl, General Manager
File No	A1.1.4-A11.2.29-H1.18
DECISION	
Subject to Council receiving satisfactory evidence to quantify the loss of income that Council approve the application for a reduction in rental as submitted.	Letter formally advising of Councils decision, sent to applicant on 7/7/2020 by GM. Council awaiting evidence of pandemic impact on business.

2020/202	Creation of Easement – 2 Darling Street North Bourke – Development Application 2018/0002- Item 13.1	
Responsible Officer	MES/AMIP	
File No	D2.1-DA 218/0002	
DECISION		
<p>1. That in respect of Condition of Consent No 14, Development Application DA 2018/0002, Council agree that the proposed easement adequately meets the requirements of condition 14 with respect to the need to gain a licence, on the following basis:-</p> <ul style="list-style-type: none"> • The developer being responsible for the costs of preparation and registration of the required deposited plan and section 88B Instrument; • The terms of the easement being virtually identical to the previously prepared licence agreement, with provisions changed for context, with Council provide such terms to the developer for inclusion in the easement documentation; and • Evidence being provided to the Private Certifier/Council of the lodgement of the easement documentation for registration, prior to occupation. <p>2. That the General Manager be authorised to take the required action from Councils perspective to finalise the terms of the easement.</p> <p>3. That any necessary documents be executed under the Common Seal of Council.</p>		<p>Correspondence advising of Councils resolution and attaching terms of proposed easement for inclusion in an 88B instrument sent to applicants on 3 July 2020. Council now awaits response.</p>

2020/210	Pecuniary Interest Returns – Item 15.4	
Responsible Officer	Ross Earl, General Manager	
File No	C11.10-S6.29	
DECISION		
<p>Councillor or designated person holding that position on 30 June in any year must complete and lodge a Pecuniary Interest Return by 30 September in that year</p>		<p>Ongoing</p>

2020/211	Review of Capital Works Program 2019/2020 and Reallocation of Funds – Item 15.5 Mount Oxley	
Responsible Officer	Leonie Brown, Manager of Corporate Services	
File No	R2.5	
DECISION		
<p>Council identify the responsibility and access road to the top of Mount Oxley</p>		<p>A report to be completed</p>

2020/223	Bourke Airport - Lease of Land – Item - 23.2	
Responsible Officer	Mark Riley, Acting Manager Infrastructure & Projects	
File No	A6.1-F3.1-LD	
DECISION		
1. That the General Manager be authorised to take the necessary action in respect of the leasing of Lot 64 DP 1027306, Bourke Airport, to Viva Energy Australia Pty Ltd as per the terms detailed in the report of the Acting Manager of Infrastructure and Projects.	Completed	
2. That any necessary documents be executed under the Common Seal of Council.		

2020/224	Finalisation of Lease Agreement with Bourke and District Children’s Services – Item 23.3	
Responsible Officer	Leonie Brown, Manager of Corporate Services	
File No	A11.1.4-A11.2.29	
DECISION		
1. That the proposed lease as previously provided to the Bourke and District Children’s Services for the initial five (5) year period commencing 1 July 2016, inclusive of two (2) five (5) year options, not be further pursued by Council in respect of execution by the Bourke & District Children's Services	Lease documentation finalised by Council and delivered to the BDCS on 7/8/2020 Lease signed	
2. That fresh lease documentation be drafted by Council, as a matter of priority, with the Bourke and District Children’s Services being offered a lease term of ten (10) years effective 1 August 2020 and terminating 30 June 2030 in respect of 9A and 9B Gorrell Avenue Bourke		
3. That the rental for the initial term of the lease effective 1 August 2020 and ending 30 June 2021, be \$20,000.00 (GST Ex)		
4. That the rental for half the initial lease term effective 1 August 2020 receive a 50% reduction such that the rental for the period 1 August 2020 to 31 December 2020 be \$5,000.00(GST Ex) with the balance of the lease period of 1 January 2021 to 30 June 2021 be \$10,000.00 (GST Ex)		
5. That rental to Council for the period 1 August 2020 to 31 December 2020 be paid by equal monthly instalments of \$1,000.00 (GST EX) payable on the 1st day of each month commencing 1 August 2020 and thereafter for the balance of the initial term by equal monthly instalments of \$1,666.67 (GST EX) payable on the 1st day of each month		
6. That rental to Council for subsequent terms of the lease be paid by equal monthly instalments payable on the 1st day of each month		

2020/233	12.1 DRILLING OF NEW BORE AT TRINGADEE STATION, WANAARING ROAD	
Responsible Officer	Mark Gordon, Senior Technical Officer	
File No	W2.2.9-W2.2.9.1	
DECISION		
1. Council authorised the General Manager to enter into a contract with a preferred water-drilling contractor for the provision of a new water bore to be drilled at Tringadee Station on the Wanaaring Road.	IMPAX Drilling to undertake work	
2. That any necessary documents in relation to Drilling of New Bore at Tringadee Station, Wanaaring Road be executed under the Common Seal of Council.		

2020/	12.2 ROAD CLASSIFICATION REVIEW	
Responsible Officer	Mark Riley, Acting Manager of Infrastructure & Projects	
File No	R7.4.3	
DECISION		
That the Road Classification Review and Transfer Information Paper dated June 2020 be noted.	<p>Nomination of Roads to be completed by 30 August.</p> <p>JO to put a submission in on issues potentially impacted by any decisions</p>	
2. That the actions of the General Manager in engaging Peece Consulting to prepare a submission, both as a combined Far North West Joint Organisation submission and an individual submission from Bourke Shire Council, be endorsed.		
3. That Councils preferred position in respect of providing a submission to the Review Panel be:- <ul style="list-style-type: none"> • ownership of the Bourke – Wanaaring Rd being transferred to the NSW Government, as a minimum ; and • the transfer of any Regional Roads to Government in the Bourke Shire being on the basis of Council entering into a contract with Government which would see Council continuing to undertake both improvement works and the necessary programmed and emergency maintenance works on the transferred roadway(s). 		
4. That having regard to the availability of such submissions and the Independent Panels time frame for submissions, the Mayor be authorised to approve Councils submission for presentation to the Independent Panel, if required.		

2020/236	14.2 BOURKE AIRPORT DEVELOPMENT PROPOSAL	
Responsible Officer	Ross Earl, General Manager	
File No	A6.1	
DECISION		
1. That Council seek quotations for the preparation of a Master Plan at the Bourke Airport to determine the availability of land for the proposed development and future developments.		1. Quotations to be called
2. That Council advise the Royal Flying Doctor Services of its agreement in principle of their proposal.		2. RFDS advised
3. That the Royal Flying Doctor Service be further advised that the siting of any proposed structure would need to be in accord with any Airport Master Plan adopted by Council.		3. RFDS Advised

2020/238	14.4 FIXING LOCAL ROADS PROGRAM	
Responsible Officer	Ross Earl, General Manager	
File No	G7.8-R7.1	
DECISION		
1. That Council write to the NSW Minister for Regional Transport and Roads, the Hon Paul Toole, MP and to the Federal Member for Parkes, the Hon. Mark Coulton MP, thanking them for the provision of funding for the reconstruction and sealing of a large section of Caronga Peak Road under Round 1 of the Fixing Local Roads Program.		1. Letters of appreciation have been sent
2. That Council identify, prioritise and make 'shovel ready' road projects which can be submitted when applications for funding under future rounds of the Fixing Local Roads Program are ultimately invited.		2. Report to August Meeting

2020/239	14.5 *** POTENTIAL MOTIONS FOR THE LGNSW ANNUAL CONFERENCE 22 - 24 NOVEMBER 2020	
Responsible Officer	Ross Earl, General Manager	
File No	L8.3-S1.1	
DECISION		
That the Mayor, Deputy Mayor and General Manager be authorised to make minor amendments to the motions if required either prior to or at the Annual Conference.		Motions to be submitted

2020/241	14.6 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (LRCI PROGRAM)	
Responsible Officer	Ross Earl, General Manager	
File No	G4.1	
DECISION		
1. Council endorse the recommendations within the Report being for projects 1 to 16 with actual sites for the footpath construction to be determined		Application to be finalised
2. That an application is lodged for the 16 projects as detailed with the Australian Government		

2020/245	15.4 *** Additional Review of Operational Plan 2019/2020 and Reallocation of Funds	
Responsible Officer	Leonie Brown, Manager of Corporate Service	
File No	R2.5	
DECISION		
Council amend the operating costs planned for 2019/2020 as detailed in the report and revoke the expenditure to the Delivery Programme 2017/2021 and Operational Plan for 2020/2021		Amendments to be processed

2020/246	15.5 Rates and Charges Reconciliations as at 30/06/2020 and 01/07/2020	
Responsible Officer	Leonie Brown, Manager of Corporate Service	
File No	F1.4.6	
DECISION		
Council sign and seal the following documents:- 1. Certificate of 2019/20 Rates and Charges levied and brought to account, as at 30 June 2020. 2. Certificate of 2020/21 Rates and Charges levied as at 14 July 2020		Completed

2020/248	21.1 *** Community Contribution - NAIDOC Week Celebrations	
Responsible Officer	Leonie Brown, Manager Corporate Services	
File No	A2.1-C12.5-D5.2	
DECISION		
Council allocate up to \$1,000 towards the cost of NAIDOC Week to be utilized for youth activities associated with the week		Completed (should the event go ahead)

2020/249	21.2 *** Request for Sponsorship - 2WEB	
Responsible Officer	Leonie Brown, Manager Corporate Services	
File No	C12.5-D5.2	
DECISION		
1. Council increase its sponsorship to \$6,300 + GST. 2. That Council look to review its sponsorship packages with a view to consolidating the sponsorship in a single package.		Letter sent advising of increase of sponsorship

2020/250	21.3 BUS STOP
Responsible Officer	Ross Earl, General Manager
File No	B10.1-R7.7.5
DECISION	
<p>1. Mrs Simpson be advised that Council is in the final stages of obtaining approval for the relocation of the CountryLink Stop from the old Railway Station to the site opposite the new TAFE Facility</p> <p>2. Mrs Simpson be further advised that an application has been lodged for funding for the construction of a shelter for patrons and plan for adequate lighting to be provided at the new Bus Stop.</p>	Completed

2020/260	23.1 *** Tenders for the Supply of Plant Hire 2020/2021
Responsible Officer	Mark Riley, Acting Manager of Infrastructure & Projects
File No	P3.2-T3.40
DECISION	
<p>That in accordance with Regulation 178 (1) (b) of the Local Government (General) Regulation 2005, Council decline to accept any tenders as submitted in respect of the Supply of Plant and Equipment Hire for the 2020/2021 period.</p> <p>2. That in accordance with Regulation 178 (3) (b) of the Local Government (General) Regulation 2005 Council proceed to invite fresh tenders for the Supply of Plant and Equipment Hire for the period 1 September 2020 to 30 June 2021.</p> <p>3. That tenders for the Supply of Plant and Equipment Hire open for a shortened tender period of fifteen (15) days on 30 July 2020 and closing on Friday, 14 August 2020, with a report on the tenders received being submitted to the 24 August 2020 meeting of Council.</p>	<p>Completed</p> <p>See Engineering August Report detailing Tenders</p>

Recommendation

That Council note the information in the Business Arising as presented to Council on Monday, 24 August 2020

11.2 CALENDAR OF EVENTS

File Number: C12.6
Author: Kai Howard-Oakman, Executive Assistant
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Information sent out monthly to advise when Council Meetings, meetings which Councillors are Delegates to and other meetings of which Council is a member of, or representatives of Council.

Current Situation

Month/ Year 2020	Meeting Date	Time	Event	Location
July	27	9.15am	Council Meeting	Council Chamber
August	24	9.15am	Council Meeting	Council Chamber
September	28	9.15am	Council Meeting	Council Chamber
October	5		Labour Day	
	6-8		LGNSW Water Management Conference	Audio-visual
	26	9.15am	Council Meeting	Council Chamber
November	16-18	9.30am	Special Local Roads & Transport Congress	Wagga Wagga
	22 -24		LGNSW Annual Conference	Audio-visual
	30	9.15am	Council Meeting (changed to allow for LGNSW Annual Conference)	Council Chamber
December	25		Christmas Day	
	26		Boxing Day	
	28		Boxing Day Holiday	

Recommendation

That Council note the information in the Calendar of Events as presented to Council on Monday, 24 August 2020.

11.3 INFORMATION TO COUNCILLORS

File Number: C12.1
Author: Kai Howard-Oakman, Executive Assistant
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Each month a list of correspondence is sent out in the Business Paper to the Councillors to ensure that they have not missed any information since the last Business Paper was produced.

Current Situation

Date	Information Sent	Author	Email
21/07/2020	COVID-19 Council Update	OLG	✓
24/07/2020	Medical Officer Service Provision - Market Sounding for the upper North West	Health NSW	✓
24/07/2020	OLG's fortnightly e-newsletter	Cr Linda Scott President LGNSW	✓
26/07/2020	Late Report - Federal Government Infrastructure Grant	GM	✓
29/07/2020	COVID-19 Council Update	OLG	✓
31/07/2020	COVID-19 Council Update	OLG	✓
02/08/2020	Central Park Toilets – Memo & Photos	GM	✓
03/08/2020	Minister's message – Minister for Local Government	Minister for Local Government Shelly Hancock	✓
03/08/2020	A special video celebrating Local Government Week	Cr Linda Scott - President LGNSW	✓
04/08/2020	Council Circular 20-29 September 2020 mayoral elections	OLG	✓
05/08/2020	Minister for Better Regulation and Innovation - Invitation to participate in OLG COVID-19 Local Government Update Webinar - Tuesday 11 August	OLG	✓
06/08/2020	COVID-19 Council Update	OLG	✓
10/08/2020	COVID-19 Council Update	OLG	✓
12/08/2020	Media Release - Government's New Council Code of Conduct Brings Even Greater Transparency	LGNSW	✓
13/08/2020	COVID-19 Council Update - 13 August 2020	OLG	✓
13/08/2020	Child Safe Organisations – A Local Government Perspective Forum	Christina Halligan Children's Coordinator Cumberland City Council	✓
14/08/2020	Know the latest COVID-19 rules to keep NSW safe	NSW Government	✓
14/08/2020	Annual Conference of the Murray Darling Association	MDA	✓
17/08/2020	Dargle Bore at Tringadee Station & Coronga Peak	GM	✓
19/08/2020	Bourke and Brewarrina to Benefit from Murray-Darling Basin Grants Program	1 The Hon Mark Coultan MP 2 Minister for Regional Health, Regional Communications and Local Government Member for Parkes & The Hon Keith Pitt MP Minister for Resources, Water and Northern Australia	✓

Recommendation

That Council note the contents of the Information to Councillors Report as presented to Council on Monday, 24 August 2020.

12 ENGINEERING SERVICES DEPARTMENT

12.4 *** FIXING LOCAL ROADS PROGRAM - PROPOSED PROJECTS

File Number: G7.8-R7.1
Author: Mark Gordon, Senior Technical Officer
Authoriser: Mark Riley, Acting Manager of Infrastructure & Projects
Attachments: Nil

Background

It was reported to Council at its meeting held on 27 July 2020 that:-

- Council had received funding of \$4.6m for the reconstruction and sealing of a large section of Caronga Peak Road under Round 1 of the Fixing Local Roads Program, as jointly funded by the State and Federal Governments; and
- During his recent visit to Bourke, the Minister for Agriculture and Western New South Wales, the Hon Adam Marshall, MP, confirmed that the State Government would be funding a further five (5) rounds of the Fixing Local Roads Program.

Current Situation

In regard to the prioritisation of projects for submission to Government when applications for funding under future rounds of the Fixing Local Roads Program, various projects are proposed, as below.

All proposed construction projects include the forming and shaping of the existing subgrade/ the importing of 300 mm of road base and compact to specification/sealing with a 14mm and 7mm aggregate Class 170 bitumen and includes culvert and grid installation.

Councillors are welcome to suggest alternative construction projects for funding under this program over the expected five (5) year period.

Fixing Local Road Projects 2021/2022. (Total \$5,137,500)

Caronga Peak Road	Sealing 20km - 25 km	Sealing of the last 5 km of road to the Cobar boundary	Estimated cost \$1,250,000
Tooralé Road Nulty Section	4.094 km – 9.1 km, = 5.006 km:	Sealing of 5.006 km of S Bends near Nulty Station	Estimated cost \$1,250,000
Weelong Road	Sealing 0.31 km - 2.54 km = 2.23 km:	Sealing of 2.23 km to connect to Billabong Bridge	Estimated cost \$625,000
Weir Road	1.34 km to 3.49 km = 2.15 km:	Sealing of 2.15 km of road to provide access for tourists and residents to the weir	Estimated cost \$537,500
River Road	0 km to 3.5 km = 3.5 km:	Sealing of 3.5km of road to provide access for tourists and residents.	Estimated cost \$875,000
Parkdale Road	0.75 km to 3.15 km = 2.4 km:	Sealing of 2.4km of road to provide access for tourists and residents	Estimated cost \$600,000

Fixing Local Road Projects 2022/2023 (Total \$5,000,000)

Tooralé Road	Sealing 89.88 km - 109.67 km = 19.79 km	Sealing of 19.79km from RLR 11 towards Trilby Station	Estimated cost \$5,000,000
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Fixing Local Road Projects 2023/2024 (Total \$5,000,000)

Tooralé Road	Sealing 109.67 km - 128.6 km = 18.93 km	Sealing of 18.89 km of road to connect to seal to Idalia Station	Estimated cost \$5,000,000
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Fixing Local Road Projects 2024/2025 (Total \$5,889,512)

Polygonum Road	0 km to 2.21 km = 2.21 km	Sealing of 2.21 km of road to provide access for tourists and residents to the weir.	Estimated cost \$552,000
Bullamunta Road	0 km to 2.45 km = 2.45 km	Sealing of 2.45 km of road to provide access for tourists and residents	Estimated cost \$612,500
Resealing of North Bourke residential area and airport road			Estimated cost \$159,012
Janina Road	75.436 km to 85.7 km = 10.264 km	Sealing of 10.264 km of road to provide access and egress for heavy vehicle movements	Estimated cost \$2,566,000
Ben Lomond Road	0 km to 8 km = 8 km	Sealing of 8 km of road to provide access for residents and tourists to Gundabooka National Park	Estimated cost \$2,000,000

Fixing Local Road Projects 2025/2026 (Total \$5,200,000)

Tarcoon Road	0 km to 4.54 km = 4.54 km	Sealing of 4.54 km of road to provide access for heavy vehicles and for tourists to visit Mt Oxley	Estimated cost \$1,300,000
Janbeth Road	0 km to 15 km = 15 km	Sealing of 15 km of road to provide access for heavy vehicles transporting cotton and livestock	Estimated cost \$3,900,000

It should be noted that with the proposed sealing of these various roads, higher ongoing maintenance costs will be incurred by Council as opposed to the maintenance costs of gravel roads.

In the preparation of future budgets, Council will need to make provisions for this additional expenditure. Whilst not an immediate issues, it is an issue that Council should be aware of.

Financial Implications

The first round of the Fixing Local Roads Program resulted in Council receiving \$4.6m in funding. Council is of the hope that it will receive similar funding amounts in future rounds of the Program. Once Council adopts these projects, and/or others, staff will proceed to take the necessary action to commence a rolling program of preparing the necessary documentation such that the projects are ready to proceed pending the announcement of funding.

Recommendation

That the various road construction and resealing projects as identified herewith be adopted as Councils priorities in respect of the submission of applications at the appropriate time for funding under the NSW Governments Fixing Local Roads Program for the period 2021/2022 to 2025/2026.

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

13.1 FOOD SURVEILLANCE ACTIVITY REPORT 19/20

File Number:	H1.5
Author:	Dwayne Willoughby, Manager Environmental Services
Authoriser:	Ross Earl, General Manager
Attachments:	Nil

Background

Under the Food Regulation Partnership (FRP) Councils are appointed as enforcement agencies under the NSW Food Act 2003. Enforcement agencies are responsible for food surveillance within their local government area and are required to report their food surveillance activities to the NSW Food Authority. Bourke Shire Council is classified as a category B Council under the FRP Partnership.

Current Situation

The submission of food surveillance activity is lodged via a report form. This activity report captures important information about the types of food premises and their inspection outcomes.

Reports are used to achieve outcomes that:-

- guide the design of targeted programs to improve industry compliance
- reduce foodborne illness by controlling critical food handling practices
- demonstrate Council activity
- improve consistency among Councils
- increase public awareness about food surveillance

Benefits of reporting:-

- demonstrates food safety achievements
- focuses on key food safety areas
- improves consistency in inspections
- enables individual Councils to benchmark their food safety outcomes against the state
- provides measurable performance indicators
- justifies resources and funding
- allows for early recognition that the program may not be completed allows for additional resources or contingency plans to be set up

Council have undertaken inspections for the 2019/20 reporting period. In total 24 Food business premises were inspected, 20 as 'Medium –Risk' and four (4) as 'Low Risk'.

Council inspected two (2) mobile food premises that operated in the Council area in the reporting year and also conducted inspections of childcare facilities.

Reports for each individual inspection of the food business were produced using the NSW Food Authority Food Assessment Report (FPAR). The FPAR is divided into nine (9) sections that relate to compliance with the Food Safety Standards (FSS) of the Australian New Zealand Food Standards Code (FSC). The nine (9) sections relate to hygiene and food safety and focus on the most

important foodborne illness risk factors that have been identified in numerous studies, including inadequate cooling and cold holding temperatures, food prepared ahead of planned service, inadequate hot holding temperatures, poor personal hygiene and infected (sick) food handlers, inadequate reheating and inadequate cleaning and sanitising of equipment and premises. The FPAR also allows Councils to trial the 'Scores on Doors' rating system.

Council staff recorded that this reporting year there has been good compliance with the relevant food safety standards, with the number of re-inspections needed decreasing on previous years.

Technical advice was provided to businesses about compliance utilising factsheets and handouts. Staff also reported that a large percentage of food businesses in Bourke had a current Food Safety Supervisor Certificate.

Financial Implications

Nil

Recommendation

That Council note the Food Surveillance Activity Report 19/20 as presented to Council on Monday, 24 August 2020.

14 GENERAL MANAGER

14.1 REVISED CODE OF CONDUCT AND PROCEDURES

File Number:	P4.1.4
Author:	Ross Earl, General Manager
Authoriser:	Ross Earl, General Manager
Attachments:	Nil

Background

There have been some minor amendments to both **the Model Code of Conduct for Local Councils in NSW and Procedures** for the administration of the Code.

The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (the Procedures) have been amended in response to the decision by the Supreme Court in the matter of *Cornish v Secretary, Department of Planning, Industry and Environment* [2019] NSWSC 1134.

Amendments have also been made to the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The new Model Code of Conduct and Procedures have been prescribed under the *Local Government (General) Regulation 2005*.

Current Situation

The new Model Code of Conduct and Procedures take effect immediately. This is because the amendments to the Procedures largely reflect existing practice following the Supreme Court's decision and the amendments to the Model Code of Conduct are minor in nature.

Council's should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible and this is why the report is being brought before Council.

Changes to the procedures

Consistent with the Supreme Court's decision, Councils have the following options when taking disciplinary action against Councillors for breaches of their codes of conduct under the new Procedures:-

- that a Councillor be formally censured for the breach under section 440G of the *Local Government Act 1993* (the Act), or
- that a Councillor be formally censured for a breach under section 440G and the matter referred to OLG for further disciplinary action under the misconduct provisions of the Act.

The process for censuring Councillors for breaches of the code of conduct has been significantly strengthened to ensure Councillors are made publicly accountable to their electors for their conduct. When censuring Councillors, Councils are required to specify in their resolution the grounds on which the Councillor is being censured by disclosing the investigator's findings and determination and any other grounds that the Council considers may be relevant or appropriate.

Councillors may seek to avoid public censure for breaches of the code of conduct by voluntarily agreeing to undergo training or counselling, to apologise for their conduct or to give undertakings not to repeat their conduct before the investigator finalises their report to the Council.

Investigators can finalise their investigations without a report to the Council where they consider these to be an appropriate outcome to the matter they are investigating. However, it will remain open to investigators to finalise their report and to recommend censure where they consider this is appropriate and warranted.

The process for referral by Councils of code of conduct breaches by Councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the conduct in question is sufficiently serious to warrant disciplinary action for misconduct and that there is sufficient evidence of the breach to allow OLG to take further disciplinary action.

Other amendments have been made to the Procedures to:-

- allowing panels of conduct reviewers to be appointed without a resolution of the Council, and
- allowing the referral of investigators' reports to OLG for action under the misconduct provisions of the Act where the Council will not have a quorum to deal with the matter.

Amendments to the Model Code of Conduct

The Model Code of Conduct has been amended to:-

- remove as a breach, failure to comply with a Council resolution requiring action in relation to a code of conduct breach (because it is now redundant)
- update the language used to describe the various heads of discrimination in clause 3.6 to reflect more contemporary standards
- include in the definition of Council committee and Council committee members, members of Audit, Risk and Improvement Committees (ARICs) in anticipation of the commencement of the requirement for all Councils to appoint an ARIC following the next Local Government elections.

Amendments have also been made to the gifts and benefits provisions of the Model Code of Conduct in response to feedback from some Councils. The amendments:-

- lift the \$50 cap on the value of gifts that may be accepted to \$100
- clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed

The Office of Local Government has available on their website copies of the Code and Procedures. Additionally, they have prepared summaries of the requirements of the Code to suit each, Councillors, Staff and Committee Members and Delegates which are called "At a Glance" publications.

The link to the publications are as follows:-

<https://www.olg.nsw.gov.au/Councils/governance/model-code-of-conduct/model-code-of-conduct-and-procedures-2020/>

Financial Implications

There are no significant financial implication to Council.

Recommendation

- 1. That Council note the changes to both the Model Code of Conduct and Procedures for Councils in New South Wales**
- 2. That Council adopt the Model Code of Conduct including the threshold of Gifts at \$100.00**
- 3. That all Councillors be provided with an updated copy of the New Code of Conduct and the “At a Glance” for Elected Members**
- 4. That all Staff be provided with a copy of the “At a Glance” for Council Staff**
- 5. That all Committee Members be provided with a copy of the “At a Glance” Guide For Council Committee Members and Delegates**
- 6. That Council provide training to both Councillors and Staff on the new Code when the opportunity arises.**
- 7. That the General Manager take appropriate action to ensure that Council has access to a Panel of Code of Conduct Reviewers.**

14.2 MAYORAL ELECTION - SEPTEMBER COUNCIL MEETING

File Number: C11.5
Author: Ross Earl, General Manager
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

The Office of Local Government has released Circular 20-29 dealing the election of Mayor as a result of the extended term of Council with the Elections postponed until September 2021.

A further complicating issue is the fact that Councils are not required to meet in person. If A Council does elect to meet in person then individual Councillors must have the ability to participate remotely.

Councils that elected Mayors in September 2018 must have Mayoral Elections in September 2020 when the two (2)-year term of the current Mayor expires. The Mayor elected in September 2020 will hold their office until ordinary elections are held on 4 September 2021.

Councils must also hold an election for Deputy Mayor if the Deputy Mayor's term has expired.

County Councils must elect a Chairperson.

Current Situation

What this will mean for Council:-

- Schedule 7 of the Local Government (General) Regulation 2005 prescribes three (3) methods of election of Mayors:-
 - open ballot (e.g. a show of hands)
 - ordinary ballot,
 - or preferential ballot.
- Open ballots can be undertaken remotely where a council is conducting its meetings by audio-visual link.
- Ordinary and preferential ballots are secret ballots and councillors will need to attend the meeting in person if the election is to be by way of an ordinary or preferential ballot.

Key points

- In deciding which method to use for the mayoral election, councils should consider the personal circumstances of their councillors to ensure that all councillors can participate in the mayoral election.
- Councillors may attend council meetings in person under the Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 for the purposes of participating in a mayoral election and staff may attend for the purposes of conducting the election.

- Councils should observe appropriate social distancing when conducting mayoral elections and take any other steps necessary to minimise the risk of infection by the COVID-19 virus and to ensure the health and safety of all attendees.

A Fact Sheet has been developed by the Office of Local Government on the matter and can be accessed <https://www.olg.nsw.gov.au/councils/councillors/mayoral-elections/>

The information is provided for information at this stage.

Financial Implications

There are no significant cost for Council.

Recommendation

That Council note the report in relation to the conduct of the Mayoral Elections in September 2020.

14.3 POTENTIAL RESTORATION OF NORTH BOURKE BRIDGE

File Number: B6.1-H2.1
Author: Ross Earl, General Manager
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Opened in May 1883, the 137 year old North Bourke Bridge over the Darling River is the oldest moveable span bridge in Australia and the only remaining example in NSW. The bridge was designed and constructed at the height of the River Trade Era when the principal mode of transport for Western NSW and the Riverina District was some 200 paddle steamer-barge combinations operating on the Murray-Darling River System.

The main structure of the bridge consists of a centrally located wrought iron lift bridge structure flanked on each side by two (2) wrought iron lattice trusses. All these rest upon pairs of concrete-filled cast iron cylindrical tubes braced together to form six (6) piers. The links to the river banks are timber beam approaches, short and straight on the Bourke side, long and curved on the North Bourke side.

The one-lane and speed-limited bridge was mothballed in 1997 when a new 'Gateway Bridge' was constructed by the then Roads and Traffic Authority. Whilst the bridge was not earmarked for demolition, it is suffering from decay such that it has been barricaded from public access for some years.

Current Situation

Council, on behalf of the Bourke Community, is the custodian of this significant historical structure. Its restoration has been identified as a priority in the Bourke Shire Community Strategic Plan with an objective *"to improve access to the North Bourke Bridge"*.

In addition to pursuing this stated objective, restoration of the North Bourke Bridge is viewed as an ideal project to not only protect and enhance a major historical item but also a project to strengthen Bourkes tourism facilities and a project that will bring significant economic activity to the Bourke Community as a potential post COVID-19 economic stimulus project.

The restoration of on the bridge will provide an important dedicated pedestrian access to North Bourke which whilst currently not available with the required level of safety on the "Gateway Bridge". It would also provide an alternate link to North Bourke in the event of an accident involving the Gateway Bridge.

Previous applications have been submitted by Council for grant funding, however, to date these have been unsuccessful.

In recent times, to progress this matter, a Quantity Surveyor has been engaged by Council to develop costings such that an accurate restoration estimate can be a component of any future discussions with Government or the submission of grant applications as Council pursues this important matter.

Initial discussions with Government representatives have recently taken place and following the report from the Quantity Surveyor Council be in a position to further advance those discussions with an increased level of confidence in relation to actual costs

Financial Implications

At this stage, there have been a number of estimates provided to undertake the work but none to date has involved the level of detail that we expect from the appointed Quantity Surveyor.

The costs are obviously dependant on the scope of works and may be influenced by factors including the width of the road way but also any heritage considerations.

Council currently has funding of \$740,280 available for the project or works ancillary to the project and are currently allocating an amount of \$50,000.00 per year which will need to be continued to be allocated to ensure that any restoration works are maintained to an appropriated standard.

Recommendation

- 1. That Council note the report of the General Manager in relation to the current status of the proposed restoration of the North Bourke Bridge as presented to Council on Monday, 24 August 2020.**
- 2. That Staff continue to explore funding opportunities for the cost of restoration works.**

14.4 * MURRAY DARLING ASSOCIATION - ANNUAL CONFERENCE & AGM**

File Number: R6.9.1
Author: Ross Earl, General Manager
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

The Murray Darling Association is an organisation of Local Government Councils across all sections of the Murray Darling Basin.

Their conference this year like many others will be a “*Virtual Conference*” given the restrictions in numbers able to attend functions being introduced to assist in the reduction of COVID-19. The conference will but none the less important than as in previous years. Council is a member of the Murray Darling Association and has been represented at the annual conference in previous years.

Current Situation

The 76th National Conference and Annual General Meeting will be held on 14-16 September 2020 and will be hosted by City of Greater Shepparton.

The MDA have been able to attract some excellent speakers this year including the Deputy Prime Minister, the Hon. Michael McCormack, MP, Tim Costello of Australia Climate Council and Fiona Simpson from the National Farmers Federation.

While it is a Local Government Conference all those with an interest in the Murray Darling Basin issues will find it both valuable interesting.

Given that it is a *virtual conference*, registered delegates can log on and log off to the various presentations depending on their individual commitments

Details can be obtained by following the link below <https://web.cvent.com/event/bdece62d-1f66-4a7e-9273-22cdc0c6e776/websitePage:4a9f1ae7-fd5e-40ea-a47b-8748de11f650>

Financial Implications

The Conference is a virtual conference meeting that some costs normally attributable to the attendance at such a conference including travel and accommodation for delegates are no longer applicable. However, there remains a cost in staging the event with the registration fee \$175.00 and unless the number of delegates from an organisation exceeds (5) people when the fee reduces to \$150.00.

Recommendation

- 1. That Council note the Report on the Annual Conference and Annual General Meeting of the Murray Darling Association**
- 2. That any Councillors interested in participating notify the General Manager so that registration can be arranged.**

14.5 *** CODE OF MEETING PRACTICE**

File Number: C12.1-P4.1
Author: Ross Earl, General Manager
Authoriser: Ross Earl, General Manager
Attachments: 1. Code of Meeting Practice 1.6(V6)

Background

Council at its May 2019 meeting adopted a revised Code of Meeting Practice in accordance with a Draft Code of Meeting Practice as developed by the Office of Local Government.

Current Situation

By Circular dated 14 August 2020, as attached, the Office of Local Government has advised that Councils must amend their Codes of Meeting Practice such recordings of meetings of the Council and committees that comprise only of Councillors be retained on the Council's website for 12 months or more if they do not already provide for this.

In this regard, it is advised that Council's Code of Meeting Practice at Clause 5.22 provide for the retention of these recordings on Council's website for a period of 12 months.

In regard to the issue of Council recording and webcasting (i.e. broadcasting over the internet) its meetings, as a result of COVID-19 related requirements, Council is currently webcasting its meetings via an audio-visual link given that members of the public are excluded from attending meetings. Post COVID-19, it is intended that Council will revert to the audio recording of its meetings for uploading to the Councils website at a later time.

This recording practice is required to be confirmed in Councils Code.

Accordingly, Clauses 5.19 and 5.21 of Councils Code of Meeting Practice has been amended in the attached copy.

In addition, it is opportune to make some minor administrative corrections to the Code with a view to adoption of a revised Code as follows:-

Clause 1.1: Updated for relevancy.

Clause 3.1: Amend such that it reads; "Removed (not applicable)" rather than "Removed (relevant for JO's only)."

Clause 3.2: Deletion of the notations due to irrelevancy; "Note: Council's must use either clause 3.1 or 3.2" and "Note: Under section 396 of the Act, County Councils are required to meet at least four (4) times a year." and "Note: Under section 400L of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.

Clause 4.14: Amend such that it reads; "Removed (not applicable)" rather than "Removed (relevant for JO's only)."

Clause 5.3: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 5.19: Amend such that it reads; “All meetings of Council and committees of the Council that comprise only of Councillors are to be webcast on Council’s website. Webcasting shall comprise an audio recording of the meeting, which is to be uploaded to Councils website within 24 hours of the completion of the meeting.”

Clause 10.31: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 11.4: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 15.9: Deletion of the notations due to irrelevancy; “Note: Councils will be required to webcast meetings from 14 December 2019. Councils that do not currently webcast meetings should take steps to ensure that meetings are webcast by 14 December 2019. “and “Note: Councils must include supplementary provisions in their adopted codes of meeting practice that specify whether meetings are to be livestreamed or recordings of meetings uploaded on the Council’s website at a later time. The supplementary provisions must also specify whether the webcast is to comprise of an audio visual recording of the meeting or an audio recording of the meeting.”

Clause 5.21: Amend such that it reads; “At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and made publicly available on Council’s website and that those in attendance should refrain from making any defamatory statements.”

Clause 8.1: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 8.2: Amend the Order of Business in the Code such that it reflects current practice:
“The general order of business for an ordinary meeting of the Council shall be:-

1. Opening Prayer
2. Acknowledgement of Country
3. Remembrance
4. Apologies by Councillors
5. Declaration of Interests
6. Mayoral Minutes
7. Starring of Items
8. Notices of Motion
9. Rescission Motions
10. Business Arising
11. General Manager and Departmental Reports
12. Tourism and Events
13. Delegates and Councillors Reports
14. Committee Minutes
15. Policies
16. Precis of Correspondence

17. Activity Reports
18. Confidential matters
19. Conclusion of the meeting

Clause 8.3: Remove brackets in first line.

Clause 11.11: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 14.11: Amend such that it reads; “Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by 8.30am on the day of the meeting at which the matter is to be considered.”
Councils Code previously provided a time of 9.00am on the day of the meeting.

Clause 15.14: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 20.17: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

Clause 20.24: Amend such that it reads; “Removed (not applicable)” rather than “Removed (relevant for JO’s only).”

The Local Government Act provides as follows:-

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 mandatory code that are non-mandatory provisions, 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.

In all, these amendments either reflect statutory requirements or are changes very minor in nature.

Accordingly, there is no requirement for the Code of Meeting Practice to be exhibited for the purpose of inviting public submissions.

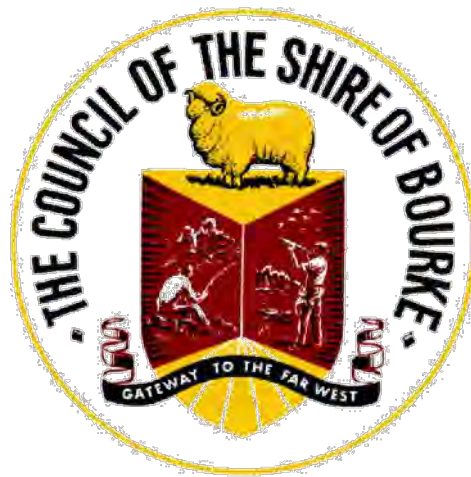
Financial Implications

There are no financial implications arising from this report.

Recommendation

- 1. That Council note the minor changes to the Code as presented**
- 2. That the revised Bourke Shire Council Code of Meeting Practice dated August 2020 be adopted without the need to advertise in accordance with section 362 of The Local Government Act**
- 3. That a copy of the revised Code of Meeting Practice be placed on the Website**

CODE OF MEETING PRACTICE



BOURKE SHIRE COUNCIL 2020

Policy No: 1.6.1(v6)
Date Adopted: xx/ox/2020
Resolution No: xx/2020
Supersedes: 1.6.1(v5)

Verified by
General Manager

Verified by
Mayor

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Introduction

1.1 Councils Code of Meeting Practice follows the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of Councils and committees of Councils of which all the members are Councillors (committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

Council's code of meeting practice incorporates the mandatory provisions of the Model Meeting Code.

A Council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

Council and committees of the Council of which all the members are Councillors must conduct its meetings in accordance with the code of meeting practice as adopted herewith.

Meeting Principles

2.1 Council and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful:* Councillors, staff and meeting attendees treat each other with respect.
- Effective:* Meetings are well organised, effectively run and skilfully chaired.
- Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Before the Meeting

Timing of ordinary Council meetings

- 3.1 Removed (not applicable)
- 3.2 The Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.
Note: Under section 365 of the Act, Councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a Council is required to meet each year under section 365A.

Extraordinary meetings

- 3.3 If the Mayor receives a request in writing, signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two (2) Councillors requesting the meeting.
Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of Council meetings

- 3.4 The Council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the Council.
Note: Clause 3.4 reflects section 9(1) of the Act.
- 3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner, that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of ordinary Council meetings

- 3.7 The general manager must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.
Note: Clause 3.7 reflects section 367(1) of the Act.
- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form.
Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to Councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency.
Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at Council meetings

- 3.10 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted four (4) full business days before the meeting is to be held.
- 3.11 A Councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a Councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the Council, or
 - (b) by written notice sent to all Councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the Council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the Council.
- 3.15 A Councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the Council, or a question that implies wrongdoing by the general manager or a member of staff of the Council.

- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting.

- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the Council states:

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
- (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 3.10.

- 3.19 Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral minute to a meeting under clause 9.6.

- 3.20 The general manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and committees of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council.
Note: Clause 3.23 reflects section 9(2) and (4) of the Act.
- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.
Note: Clause 3.24 reflects section 9(2A)(b) of the Act.
- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.
Note: Clause 3.25 reflects section 9(3) of the Act.
- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.
Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.27 The general manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:
(a) a motion is passed to have the business considered at the meeting, and
(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 Prior to each ordinary meeting of the Council, the general manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

Public Forums

- 4.1 The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of committees of the Council.
- 4.2 Public forums are to be chaired by the Mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by 4.00pm on the Friday before the meeting before the date on which the public forum is to be held, and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may apply to speak on no more than two (2) items of business on the agenda of the Council meeting.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the general manager or their delegate is to determine who will address the Council at the public forum.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the Mayor or the Mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.10 Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the chairperson.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.14 Removed (not applicable).
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to five (5) minutes.
- 4.16 Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.

- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the Council for up to five (5) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18 Where an address made at a public forum raises matters that require further consideration by Council staff, the general manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's code of conduct or making other potentially defamatory statements.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.
- Note:** Public forums should not be held as part of a Council or committee meeting. Council or committee meetings should be reserved for decision-making by the Council or committee of Council. Where a public forum is held as part of a Council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of Council and Committee meetings.

Coming Together

Attendance by Councillors at meetings

- 5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of committees of the Council of which they are members.
Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.
- 5.2 A Councillor cannot participate in a meeting of the Council or of a committee of the Council unless personally present at the meeting.
- 5.3 Removed (not applicable)
- 5.4 Where a Councillor is unable to attend one or more ordinary meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.5 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.6 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.
- 5.7 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.
Note: Clause 5.7 reflects section 234(1)(d) of the Act.
- 5.8 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.
Note: Clause 5.9 reflects section 368(1) of the Act.

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.
Note: Clause 5.10 reflects section 368(2) of the Act.
- 5.11 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the Councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to, flood or bushfire), the Mayor may, in consultation with the general manager and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend Council meetings

- 5.16 Everyone is entitled to attend a meeting of the Council and committees of the Council. The Council must ensure that all meetings of the Council and committees of the Council are open to the public.
Note: Clause 5.16 reflects section 10(1) of the Act.
- 5.17 Clause 5.16 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.18 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:
- (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.18 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the Council and committees of the Council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a Councillor, from a Council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than Councillors from a Council or committee meeting.

Webcasting of meetings

- 5.19 All meetings of Council and committees of the Council that comprise only of councillors are to be webcast on Council's website. Webcasting shall comprise an audio recording of the meeting, which is to be uploaded to Council's website within 24 hours of the completion of the meeting.
- 5.20 Clause 5.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and made publicly available on Council's website and that those in attendance should refrain from making any defamatory statements.
- 5.22 A recording of each meeting of the Council and committee of the Council is to be retained on the Council's website for 12 months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.23 The general manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a committee of the Council of which all of the members are Councillors.
Note: Clause 5.23 reflects section 376(1) of the Act.
- 5.24 The general manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote.
Note: Clause 5.24 reflects section 376(2) of the Act.
- 5.25 The general manager may be excluded from a meeting of the Council or a committee while the Council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.25 reflects section 376(3) of the Act.

- 5.26 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

The Chairperson

The chairperson at meetings

- 6.1 The Mayor, or at the request of or in the absence of the Mayor, the deputy Mayor (if any) presides at meetings of the Council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the Mayor and the deputy Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the Mayor and deputy Mayor

- 6.3 If no chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the Council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the Council:
- (a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every Councillor present must be silent to enable the chairperson to be heard without interruption.

Modes of Address

- 7.1 If the chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A Council officer is to be addressed by their official designation or as Mr/Ms [surname].

Order of Business for Ordinary Council Meetings

- 8.1 Removed (not applicable)
- 8.2 The general order of business for an ordinary meeting of the Council shall be:
1. Opening Prayer
 2. Acknowledgement of Country
 3. Remembrance
 4. Apologies by Councillors
 5. Declaration of Interests
 6. Mayoral Minutes
 7. Starring of Items
 8. Notices of Motion
 9. Rescission Motions
 10. Business Arising
 11. General Manager and Departmental Reports
 12. Tourism and Events
 13. Delegates and Councillors Reports
 14. Committee Minutes
 15. Policies
 16. Precis of Correspondence
 17. Activity Reports
 18. Confidential matters
 19. Conclusion of the meeting

- 8.3 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
Note: If adopted, Part 13 allows Council to deal with items of business by exception.
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

Consideration of Business at Council Meetings

Business that can be dealt with at a Council meeting

- 9.1 The Council must not consider business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the Councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the Council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a Mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the Council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the Mayor is the chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.

- 9.7 A Mayoral minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of a Mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.
- 9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of committees of Council

- 9.12 The recommendations of a committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.
- 9.13 If in a report of a committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A Councillor may, through the chairperson, put a question to another Councillor about a matter on the agenda.
- 9.16 A Councillor may, through the general manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.

- 9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

Rules of Debate

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A Councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a Councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.
- 10.4 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of the Council:
- (a) any other Councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the Council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the Councillor who moved the original motion.

Foreshadowed motions

- 10.17 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.

- 10.18 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a Councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.

- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.31 Removed (not applicable)

Voting

Voting entitlements of Councillors

- 11.1 Each Councillor is entitled to one (1) vote.
Note: Clause 11.1 reflects section 370(1) of the Act.
- 11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.
Note: Clause 11.2 reflects section 370(2) of the Act.
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 Removed (not applicable)

Voting at Council meetings

- 11.5 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a Councillor who has voted against a motion put at a Council meeting so requests, the general manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's minutes for the meeting.

- 11.9 When a division on a motion is called, any Councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or deputy Mayor is to be by secret ballot.
- 11.11 Removed (not applicable)

Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.
Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

Committee of The Whole

- 12.1 The Council may resolve itself into a committee to consider any matter before the Council.
Note: Clause 12.1 reflects section 373 of the Act.
- 12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.
Note: Clauses 10.20–10.30 limit the number and duration of speeches.
- 12.3 The general manager or, in the absence of the general manager, an employee of the Council designated by the general manager, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

Dealing with Items by Exception

- 13.1 The Council or a committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the Council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The Council or committee must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's code of conduct.

Closure of Council Meetings to the Public

Grounds on which meetings can be closed to the public

- 14.1 The Council or a committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the Council's code of conduct.

Note: Clause 14.1 reflects section 10A (1) and (2) of the Act.

- 14.2 The Council or a committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A (3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.
- Note: Clause 14.6 reflects section 10B(4) of the Act.**

- 14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.
- Note: Clause 14.7 reflects section 10B(5) of the Act.**

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.
- Note: Clause 14.8 reflects section 10C of the Act.**

Representations by members of the public

- 14.9 The Council, or a committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.
- Note: Clause 14.9 reflects section 10A(4) of the Act.**
- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by 8.30am on the day of the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

- 14.13 No more than three (3) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the Council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three (3) speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-Councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the Council or a committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,

- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.21 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

Keeping Order at Meetings

Points of order

- 15.1 A Councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A Councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a committee of the Council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another Councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.
- 15.12 The chairperson may require a Councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the Council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from meetings

- 15.14 Removed (not applicable)
- 15.15 All chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person other than a Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the Council or the committee of the Council.
- 15.16 Clause 15.15 does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 15.17 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.
- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.21 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.
- 15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.
- 15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.

- 15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Conflicts of Interest

- 16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

Decisions of the Council

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.
Note: Clause 17.1 reflects section 371 of the Act in the case of Councils.
- 17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

- 17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.
Note: Clause 17.3 reflects section 372(1) of the Act.
- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.
Note: Clause 17.4 reflects section 372(2) of the Act.
- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.
Note: Clause 17.5 reflects section 372(3) of the Act.
- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.
Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.
Note: Clause 17.7 reflects section 372(5) of the Act.
- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.
Note: Clause 17.8 reflects section 372(7) of the Act.
- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than two (2) days after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.
Note: Clause 17.11 reflects section 372(6) of the Act.
- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:
(a) a notice of motion signed by three Councillors is submitted to the chairperson, and
(b) a motion to have the motion considered at the meeting is passed, and
(c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a Councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
(a) to correct any error, ambiguity or imprecision in the Council's resolution, or
(b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the Councillor is to propose alternative wording for the resolution.

- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

Time Limits on Council Meetings

- 18.1 Meetings of the Council and committees of the Council are to conclude no later than 6pm.
- 18.2 If the business of the meeting is unfinished at 6pm, the Council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 6pm, and the Council does not resolve to extend the meeting, the chairperson must either
- defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council or a committee of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

After the Meeting

Minutes of meetings

- 19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.
Note: Clause 19.1 reflects section 375(1) of the Act.
- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the Council's minutes:
- (a) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code.
- 19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.
Note: Clause 19.3 reflects section 375(2) of the Act.
- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
Note: Clause 19.5 reflects section 375(2) of the Act.
- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The Council and committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.
Note: Clause 19.8 reflects section 11(1) of the Act.
- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.
Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

19.12 The general manager is to implement, without undue delay, lawful decisions of the Council.

Note: Clause 19.12 reflects section 335(b) of the Act.

Council Committees

Application of this Part

20.1 This Part only applies to committees of the Council whose members are all Councillors.

Council committees whose members are all Councillors

20.2 The Council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a committee of the Council is to be:

- (a) such number of members as the Council decides, or
- (b) if the Council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The Council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

20.6 The general manager must send to each Councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of Council committees

- 20.11 The chairperson of each committee of the Council must be:
- (a) the Mayor, or
 - (b) if the Mayor does not wish to be the chairperson of a committee, a member of the committee elected by the Council, or
 - (c) if the Council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The Council may elect a member of a committee of the Council as deputy chairperson of the committee. If the Council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the Council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Removed (not applicable)
- 20.18 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.
- 20.20 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.22 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council committee meetings

- 20.23 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- details of each motion moved at a meeting and of any amendments moved to it,
 - the names of the mover and seconder of the motion or amendment,
 - whether the motion or amendment was passed or lost, and
 - such other matters specifically required under this code.

- 20.24 Removed (not applicable)
- 20.25 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

Irregularities

- 21.1 Proceedings at a meeting of a Council or a Council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any Councillor or committee member, or
 - (c) any defect in the election or appointment of a Councillor or committee member, or
 - (d) a failure of a Councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with the Council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

Definitions

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the Council's adopted code of meeting practice
committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two Councillors under clause 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a Councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
Performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of Councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

14.6 DELIVERY PROGRAM REPORT 1 JULY 2019 TO 30 JUNE 2020

File Number: P4.2
Author: Ross Earl, General Manager
Authoriser: Ross Earl, General Manager
Attachments: 1. Annual Delivery Plan Review

Background

This report provides Council with information on the progress of Council’s Delivery Program actions from 1 July 2019 to 30 June 2020. Council has achieved 83 % of its goals for the 2019/2020 financial year.

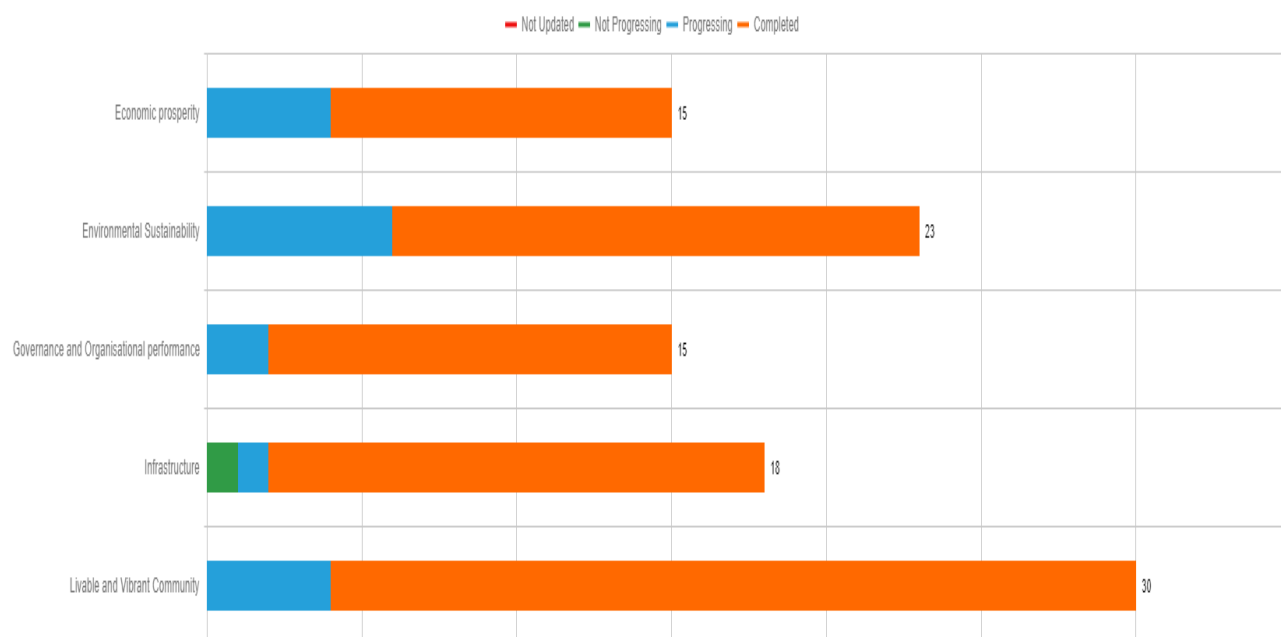
Current Situation

The General Manager must ensure that progress reports are provided to Council, with respect to the principal activities detailed in the Delivery Program, at least every six months.

Council’s half yearly report to 31 December 2019 was presented to Council at its Ordinary Meeting held 24 February 2020.

The report presents the progress on Council’s achievements in implementing the 2017/2021 Delivery Program and the 2019/2020 Operational Plan to 30 June 2020. Each item in the Delivery Program is referenced to one of the key priorities in the Community Strategic Plan - Economic prosperity; Environmental Sustainability; Governance and Organisational performance; infrastructure and Liveable and Vibrant Community.

The COVID-19 pandemic forced the closure of Council’s Tourist and sporting facilities in early April. In addition, Council’s office and works depots were closed to members of the public for a period of time, there were no disruption to other services including waste facilities, water and sewer services, rubbish collection, planning and health functions.



Notable achievements in the 2019/2020 financial year include:-

- Winning the AR Bluet Award for Rural/Regional Council
- Cabinet visit in November attended by 25 Ministers. This opportunity provided the State representatives an insight into the prolonged drought, the distance travelled by Councils that live out west. Neighbouring Councils also attended the morning teas and met with Ministers.
- New air-service commenced on 25/11/2019. This is a long-standing item in the CSP and one that the Council has made representations on for a number of year. The opportunity for this service is supported by the State Government through the Far North West Joint Organisation.
- Development of new Branding and signage proposal, to be implemented in 2020/2021
- Upgrade to the Back O' Bourke Administration building with the inclusion of a new café
- Two (2) additional bores constructed and connected to the town water supply. The State Government provided funding to drought proof.
- Additional sealing of the Wanaaring Road (MR405), another \$9.4M secured to continue this project.
- Completion of the Main Street project, this include planting the trees and garden beds. An additional \$1.8M was secured to continue the beautification works in Mitchell Street and Central Park. This will complete the beautification of the CBD.
- Commenced the new build of the Water Treatment Plant the project is expected to be completed in March 2021.
- Council received significant grant funding during the reporting period and upgrade many Council facilities including community halls, sporting facilities, and parks and gardens
- Upgrade of the Bourke 50m Pool commenced and is expected to be completed in 2020/2021.

Financial Implications

Operational Plan and Budget for 2019/2020 provide for the delivery of the plan.

Recommendation

That Council notes the activity progress against the actions contained in the 2019/2020 Operational Plan and measures against the Council's 2020/2021 Delivery Program.



Annual Delivery Plan Review

Economic prosperity

Our community values its history and heritage and seeks to develop the tourism industry

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Develop tourism facilities at wharf precinct including Jandra landing	Jandra landing completed	Manager Tourism and Events	Progressing	80%	Funding has been identified to complete the pontoon at wharf precinct. Preliminary works has commenced at the identified site and works will be completed next financial year.
Improve access to the North Bourke Bridge	Reopen the North Bourke Bridge to pedestrian traffic	Manager Tourism and Events	Completed	100%	The North Bourke Bridge has broad community support The bridge was recently closed due to the poor and deteriorating condition. An engineering assessment will be undertaken to estimate a repair cost and grant funding will be applied for to undertake a refurbishment of the bridge.
Improve signage	Undertake local tourism signage audit	Manager Tourism and Events	Completed	100%	Branding and signage upgrade has been completed including community consultation. A recent audit was completed at all villages to identify signs for replacement. Funding is now available to undertake this work in 2020/2021.
Improve signage	Update signage	Manager Tourism and Events	Completed	100%	Grant funding secured to undertake upgrade to history and heritage signage. Consultation was completed at each of the community meetings
Seek opportunities to develop cultural tourism experiences	Work with at least one group per year to explore this potential	Manager Tourism and Events	Completed	100%	Progressing the improvement of cultural tourism experience at the Back O Bourke. Local aboriginal people have been engaged in the local tourism industry through the purchase of souvenirs, storytelling and the commencement of guided walking tours from the Back O Bourke Centre.
Seek opportunities to grow the tourism sector	Host at least one training opportunity each year	Manager Tourism and Events	Progressing	50%	Ongoing drought has delayed plans to progress with training in the first eight months of the year and final four months have been disputed by COVID-19. Will investigate and progress accordingly in the next financial year.
Seek opportunities to grow the tourism sector	Participate in regional promotional committees	Manager Tourism and Events	Completed	100%	Council continues to work closely with Destination NSW, Darling River Run, Kidman Way and the Kamilaroi Highway Committee to promote tourism within the region.

Our community welcomes new residents and businesses

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Develop industries and business development opportunities	Encourage new business opportunities	Manager Community Engagement	Completed	100%	Economic factors have hampered business development in the region. Council continues to promote the positives of the region and investigate new business and value-adding to existing businesses.
Ensure a return of air services	Regular Passenger Transport Service available	GM	Completed	100%	Air service commenced on 25/11/2019 for Bourke and Walgett, Cobar commenced in October. The Far North West Joint Organisation are administering the air services. Passenger numbers a slightly lower than anticipated. It is hoped with more advertising additional passengers will utilize the service. COVID-19 has had a significant effect on all air-services.
Ensure land availability	Ensure LEP up to date	MES	Progressing	100%	LEP adhered to in planning assessments
Ensure new residents have information about the town, region and opportunities	Host welcome to Bourke function each year	Manager Tourism and Events	Completed	100%	Welcome to Bourke Function was held at the Port of Bourke on the 26th February. A good number of new residences attended the function.
Ensure new residents have information about the town, region and opportunities	Update new residents information each year	Manager Community Engagement	Completed	100%	Welcome to Bourke function, joint partnered with the Rotary Club, was successful as a number of new residents took the opportunity to meet Council and community groups. Councils various communication tools are kept up to date with information pertinent to new and existing residents.
Ensure opportunities with regards to the NBN are maximised	Information available in newspapers and through direct mail	Manager Community Engagement	Progressing	100%	Council uses a variety of communication modes to ensure the community is well briefed on operations and activities. Covid-19 information has been directed to the community in an efficient, effective and timely manner to gain major impact.
Promote Bourke as a business Centre	Action enquiries and send out information	Manager Community Engagement	Completed	100%	The Aboriginal Employment Prosperity Strategy has created positive initiatives for both job creation and business awareness. Business Direct conducted a seminar on AUS Key for taxation purposes for local business houses. As part of Council operations, a webinar was organized with input from RDA ORANA to address financial benefits to assist during the COVID-19 pandemic.
Promote population growth	Encourage new employment opportunities	MCS	Completed	100%	Aboriginal Employment Strategy (AES) - Senior Project Officer continues to progress opportunities within the role to promote employment. Due to COVID-19 the opportunity to promote development for new businesses are limited. As part of the AES position the breaking down of government contracts has provided two local Aboriginal businesses to grow their business and increase employment opportunities.

Environmental Sustainability

Ensure our heritage and culture are respected

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Ensure active local land care groups	Co support at least one activity per year in regards to either land care or another community group achieving environmental outcomes	MES	Completed	100%	Continue to support Local community groups to achieve environmental outcomes
Ensure maintenance of cemeteries	Maintain older portion of the Bourke cemetery to a satisfactory standard	MES	Completed	100%	Historic Cemetery maintained to a satisfactory standard in line with the cemetery CMP
Ensure maintenance of cemeteries	Maintain the new cemetery to a high level	MES	Completed	100%	Cemetery maintained, public toilet installed as part of improvements, the drought has caused significant damage on the ground conditions
Manage Council trusts and reserves to a high standard	Review and update Bourke Shire Council's trust register every second year or when required	MES	Completed	100%	Trust register updated, review and categorisation on Council managed crown reserves undertaken and Plan of Management begin developed
Protect local heritage items including significant architecture and indigenous heritage	Ensure Heritage Advisor is able to consult widely with community groups	MES	Completed	100%	Heritage engaged, community groups consulted on advisors visits. Heritage Advisory Committee formed.

Managing the built environment sustainably

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Encourage the cleanup of vacant blocks	Clean up at least two long term overgrown blocks each year	MES	Completed	100%	Financial Statements show improvement to most Financial indicators. Council is in a sound financial position.
Ensure a relevant and up to date Local Environmental Plan (LEP)	Review LEP as per legislation	MES	Completed	100%	LEP Adhered to
Ensure a relevant and up to date Local Environmental Plan (LEP)	Review Louth LEP with a view to increase the Village area	MES	Progressing	50%	To be included into the next LEP amendment with strategy, discussions held with NSW Dept. of planning about Louth amendment
Increase the level of recycling within the Shire	Actively reduce the level of cardboard that goes to landfill	MES	Progressing	40%	Investigating ways to link in recycling with the CDS Scheme implementation, ongoing research looking at a viable recycling option, Chinese Sword policy has effected recycling streams. Still looking and researching viable recycling options for Bourke Shire Council
Increase the level of recycling within the Shire	Develop recycling function in partnership with private business or community groups	MES	Progressing	40%	Investigating avenues with the private sector and government agencies at ways to establish a viable recycling function into Bourke. Chinese Sword policy having ongoing flow on effects to establishing a function. Working with neighboring councils on establishing a regional recycling hub

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Maintain a suitable tree policy	Review the tree policy and Master Plan at least at the start of each new Council term	MW	Completed	100%	Tree Policy reviewed. Trees planted where trees have been removed during the drought.
Maintain and active Heritage advisory service	Maintain a minimum of two Heritage Advisor visits to Bourke each year	MES	Completed	100%	Heritage advisor visits programmed quarterly
Reduce the amount of waste to landfill	At least one bulk pick up of stockpiled waste per year in conjunction with other Netwaste Councils	MES	Completed	100%	Bourke Shire Council part of the Netwaste Scrap metal regional contract, also includes the provision for E-waste to be collected as part of the service
Seek to conserve water where possible and effective	Hold yearly public awareness campaign about watering in hot climate	MW	Completed	100%	Council actively participate in local advertisement throughout Imparja and western herald.

Secure sustainable water and wastewater for all

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Enhance the water supply options for Bourke	Additional height added to the Bourke weir	MW	Progressing	20%	NSW Government has developed a Western Weir Staterty, Council are currently waiting for the direction of this committee.
Enhance the water supply options for Bourke	Ensure additional water storage for the Bourke supply	MW	Progressing	100%	Council has completed the construction of two additional bores to drought proof the town in times of drought. Meeting held with Department Planning Industry and Environment. To discuss the Western Regional Water Strategy to discuss the opportunities of an additional weir for additional water security.
Enhance the water supply options for Bourke	Review drought management plan as required	MW	Completed	100%	Council to engage a Consultant to review in 2021.
Ensure a reliable sewer system in Bourke	Ensure sewer conforms to EPA license requirements	MW	Completed	100%	Council staff currently gathering information to complete the 2020/2021 annual licence requirements.
Ensure a reliable sewer system in Bourke	Respond to sewer chokes and boundary trap blockages within two hours	MW	Completed	100%	Currently meeting all Council's LOS requirements.

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Ensure all Villages have access to non-potable water	Ensure all repairs are undertaken as soon as possible	MW	Completed	100%	Council are currently meeting all levels of services.
Ensure an adequate water supply for Bourke	Meet the standard guidelines as detailed by the Lower Macquarie Water Users Alliance	MW	Completed	100%	Meeting all guidelines.
Ensure upgraded water and wastewater infrastructure	Incremental water and waste water renewal each year	MW	Completed	100%	All Councils licences are being keep up to date.
Ensure upgraded water and wastewater infrastructure	New water treatment plant operational	MW	Progressing	40%	Construction of the new WTP has started in early January 2020, and is expected to be completed by mid-2021.

Governance and Organisational performance

Advocate the benefits of living and working in the Bourke Shire Council area

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Promote participation and coordination between the Council and community	Participate in meetings between Council and inter agency stakeholders	GM	Completed	100%	Attend meetings regularly including NGO's, State Government departments.
Promote participation and coordination between the Council and community	Undertake weekly column in the Western Herald	GM	Completed	100%	Council continually reviews the PAMP in line with disability access requirements. A full review of the document will be completed and updated in 2020/2021.
Provide strategic leadership to the community	Bourke Shire Council's financial sustainability indicators improving	GM	Completed	100%	Financial Statements show improvement to most Financial indicators. Council is in a sound financial position.
Provide strategic leadership to the community	Host yearly Village meetings	GM	Completed	100%	Community meetings held in February 2020 in Bourke and the villages of Louth, Wanaaring, Fords Bridge Enngonia and Byrock. The presentation at each of these meetings included updates in regards to council's achievements this year and works undertaken. Discussion points included the winning the AR Bluet Award for Rural/Regional Council, Cabinet visit in November, Grant Funding opportunities, new branding proposal,

Seek continuous improvement in the business of Council

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Ensure Council activity is posted to well maintained community diary	Complete development of online community diary	Manager Community Engagement	Progressing	50%	Community Diary is no longer administered by Catholic Care. Discussions held at agencies meetings determined that it was difficult to maintain an online community diary and keep up to date. Social media addresses a number of community activities and The Western Herald also provides a medium for communicating to the public.
Ensure Council meets legislative governance standards	Annual report completed on time	Manager Community Engagement	Completed	100%	The Integrated Planning and Reporting requirements pertaining to the Annual Report have been extended until 31 December 2020 by the Office of Local Government. Circular Details: 20-15 / 1 May 2020 / A700190 for the 2019/2020 Annual Report.

Strategy	Action Frame	Responsible Officer Position	Status	Progress	Comments
					The 2018/2019 Annual Report was completed and lodged on time and placed on Councils website.
Ensure Council meets legislative governance standards	No significant audit issues reported	Manager Community Engagement	Completed	100%	All legislative governance standards met and no significant Audit Issues identified.
Ensure Council meets legislative governance standards	Report progress on other functions such as Business Continuity, WHS Issues, Policy updates and staff training	MCS	Completed	100%	Legislative governance standards met. Review of all Council Policies is continuing. WHS requirements reviewed and areas of concern identified. BCP reviewed and desk top exercise completed.
Ensure excellent customer services	No reasonable customer complaints	MCS	Completed	100%	Customer Service is a key focus of Council.
Maintain library services	Library open for 5.5 days per week	Manager Community Engagement	Completed	100%	Covid-19 has led to the Bourke Library opening on restricted hours to meet the requirements of the Public Safety Order. To compensate for this the Library has promoted a wide variety of digital programming for both children and adults. A Library App has also been added to aide in the communication process with the community. Residents of the Rivergum Lodge participated in the iPad user program.
Maintain suitable Council owned housing	Review strategic needs of Council each budget period for year ahead	GM	Completed	100%	12 Glen Street was purchased in 2019/2020.
Maintain working relationships with senior politicians and local members	At least two meetings each with State and Federal Local Members each year	GM	Completed	100%	Continue to liaise with both levels of Government. Meetings held with both Local Members Community Cabinet meeting held in Bourke on the 25/11/2019, this meeting was attended by 25 Ministers including the Premier and Deputy Premier of NSW. Approximately 250 community members and neighboring Councils attended the meeting and morning tea.
Participate in inter agency forums and opportunities	Host at least two inter agency forums each year	GM	Completed	100%	Meeting held with agencies as required. Attendance at Interagency meetings on a regular basis. Bourke Aboriginal Employment Strategy holds regular meeting involving a

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
					number of agencies aligned to education and training, this group is focused on employment outcomes for Aboriginal people.
Seek continuous improvement in communications with residents	Promote resolutions and activities of Council	GM	Completed	100%	Community consultation meeting held in February 2020. Councillors and senior staff attended these meeting with a good number of community representatives. Weekly GM's Desk is provided to the Western Herald details the activities of Council.
Seek to improve Shire offices in the medium term	Finalise the development of plans and cost estimate for new construction in 2017-18	MES	Progressing	50%	Continue to follow up on funding opportunities, concept plans for a new council office hub have been completed and a QS analysis undertaken.

Infrastructure

Ensure adequate levels of community amenities

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Develop sporting precinct plan to include Davidson Oval, Central Park and the pool	Develop precinct plans	MES	Completed	100%	Plan developed with Department Sport and Recreation. Plan of managements to be developed from report. Pool master plan completed
Develop sporting precinct plan to include Davidson Oval, Central Park and the pool	Increase communication amongst sporting groups (e.g. Davidson Oval users and Renshaw)	MES	Progressing	80%	Plan completed by Department of Sport and Recreation. Outcomes from the plan to be now developed into plans of management. Future needs assessment also completed.
Enhance shaded areas to parks	Increase shade areas as budget permits	MW	Completed	100%	Done to Councils budget.
Enhance walking tracks along the levee bank	Finalise development of the levee bank walk	MW	Completed	95%	Final conditions are currently under investigations.
Ensure adequate levels of aged care facilities	Undertake discussions with aged care providers to determine in the 2017-18 financial year	MCS	Completed	100%	Ongoing - discussions held as required
Ensure Community Halls are maintained to a suitable standard	Audit needs of Halls each year prior to budget process for consideration	MES	Completed	100%	Works ongoing, hall maintenance programmed within budget. Funding through drought community fund to undertake larger maintenance tasks and upgrades, internal upgrade of Enngonia Hall including kitchen fit out and wall repairs and paint, accessible ramp installed, toilets upgraded. Wanaaring asbestos roof removed and replaced.
Ensure community infrastructure is well maintained where appropriate	Ensure Village asset management plans are up to date	MES	Completed	100%	Asset management plans continually reviewed and updated
Ensure levee banks are maintained to a high standard	Complete audit of levees in line with asset management strategy. Undertake a review of levees prior to each major flood event.	MW	Completed	100%	Currently have funding for a floodplain and Levee Management Study for Bourke.
Ensure Village water supplies are adequate	Attend to breakdowns in the Villages as required and within guidelines.	MW	Completed	100%	Byrock water supply is full, Louth water supply currently having BGA issues. All other level are currently being meet.

Ensure adequate transport linkages

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Further develop all weather roads to Louth and Wanaaring	Outline the improvements made to the Wanaaring and Louth Roads each year	MRS	Completed	100%	Sealing on Wanaaring Road on schedule, with 8km left to be completed, second round funding.
Investigate the potential for a heavy vehicle bypass of town	Develop heavy vehicle by pass if shown to be needed	MRS	Not Progressing	0%	Consultation with community have determined that the proposed by pass to travel along Tarcoon Street would not be accepted. There is no other route proposed suitable at this time.
Maintain and seek to improve the road network in a sustainable way	Ensure that the roads schedule is completed each year	MRS	Completed	100%	Wanaaring project up and running again, with stage Goonery to Barrakee on schedule to finish in October 2020. Repair programme on MR 404, 8.82 km of new seal completed, March 2020 storm damage works completed, and claim for funding is in progress for restoration works. Roads to recovery projects completed, Bundy road re-sheet, Burrawantie Road re-sheet completed. Local Roads open expenditure due to November 2019, storm damage claim been unsuccessful.
Maintain and seek to improve the road network in a sustainable way	Improve at least two sections of our local roads each year	MRS	Completed	100%	Burrawantie Road and Bundy Road completed. Hughes Street, Louth will be completed 2020/21 financial year.
Maintain heavy vehicle replacement strategy	Update and implement heavy vehicle replacement strategy each year	MRS	Completed	100%	Completed, all plant purchases are completed for the financial year.
Maintain the Bourke airport to a high standard	Ensure adequate resources are provided to maintain the Bourke airport	MW	Completed	100%	Airport is maintained to allow passenger plane to land and complies with CASA regulations. Airport inspection undertaken this year. Budget provided for maintenance requirements
Maintain Village runways where appropriate	Adequate resources are provided to maintain the Village runways as required	MW	Completed	100%	Council has currently closed the Enngonia airstrip due to safety and ownership concerns. All other airstrips are being maintained on a regular basis.

Manage the infrastructure needs of the Villages

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Ensure good communication with Village committees	Yearly Village meetings held prior to operational plans being developed	GM	Completed	100%	Meetings held in February 2020 in all villages. Councillors and senior staff attended all meetings.
Ensure Village priorities are well understood	Yearly Village meetings held prior to operational plans being developed	GM	Completed	100%	Meeting held in villages prior to the development of the Delivery and Operational Plan. Where possible and the budget allows items requested were considered and included if funding was available.

Livable and Vibrant Community
Enjoy a vibrant Bourke and Village Community

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Develop and enhance the arts	Attend meetings held with Regional Arts Board	MCS	Completed	100%	Representative of Council have attended meeting with Regional Arts Board this reporting period. The pottery shed refurbishment is now completed with pottery classes held on Thursdays and Saturdays. Work continues at the Aboriginal Art Center in Oxley Street and the expected completion date is September 2020.
Develop and enhance the arts	Undertake a number of activities locally	Manager Community Engagement	Completed	100%	Council continues to be proactive in the sphere of sourcing means to engage with the community, businesses and service providers for the betterment of all who live in the region. The Council's Community Consultation process is a powerful tool is generating community engagement.
Develop cultural partnerships	Coordinate Seniors Week activities	Manager Tourism and Events	Progressing	50%	Seniors week application was lodged and was unsuccessful. Council staff prepared a programme and sent invitations to residence. In late March due to COVID-19 staff rescheduled the programme until later in the year.
Develop cultural partnerships	Hold a number of functions/ activities yearly with local groups	Manager Community Engagement	Completed	100%	To maximize participation of the community, Council engaged with a number of community based organizations and local businesses in supporting events aimed at satisfying the needs of the community. The Bourke Arts Community have developed a Ceramics Facility at the airport in conjunction with Council.
Develop cultural partnerships	Participate in Community Working Party meetings	GM	Completed	100%	Meeting attended when invited
Develop cultural partnerships	Undertake Australia Day activities	Manager Tourism and Events	Completed	100%	Australia Day was the highlight event for January and with the location at the Bourke War Memorial pool again very well received Overall the kids enjoyed the pool party theme that had inflatables, Watermelon eating competition, Dash for Cash and a lamington stack to celebrate. Australia Day Ambassador -Peter Wilkins ABS Sports commentator delivered the official ceremony. Our official winners for the day were: Peter Crothers Citizen of the Year, Riley Parnaby- Junior Citizen of the Year, Sally Simmonds- Sportsperson of the Year, Lynne Mallon - Village Community Service Award and Bourke Headquarters Brigade- Emergency Services of the Year

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Encourage sport and recreation activities	Maintain grounds to a high standard	MW	Completed	100%	Currently drought conditions are having an effect on Council's ovals.
Encourage sport and recreation activities	Support at least two youth initiatives each year	Manager Community Engagement	Completed	100%	Ensuring high levels of youth services, amenities and activities that includes a strong early childhood sector is one of the main objectives of the Community Strategic Plan. With the COVID-19 restrictions including social distancing, activities, both indoors and outdoors, have been limited to meet these requirements. Council has made significant inroads to upgrading many social and sporting amenities in the region.
Enhance our parks and ovals	Improve and upgrade lighting to Davidson and Coolican Ovals	MW	Completed	100%	New lights have been erected at both Davidson and Coolican Ovals.
Ensure a high level of education	Meet with educational leaders at least once per year to discuss community feedback in regards to education issues	GM	Completed	100%	Meetings held with Educations providers through the BEAPS project.
Ensure a strong early childhood sector	Meet yearly with the BDCS committee to discuss issues and feedback	Manager Community Engagement	Completed	100%	Manager Community Engagement has joined the Committee as the Council representative and attending all scheduled meetings. Positive discussions have occurred in relation to the continuing support of this highly important community service.
Ensure adequate levels of public transport	Minimum six day per week community transport service	GM	Completed	100%	Community transport is a concern. The taxi service is currently unavailable. Bourke Community Transport are providing a service Monday to Friday from 9am to 2pm. There is a sign up process for this transport and residents can contact Australian Unity on 1300295826 to discuss these requirements, local trips start at \$3.00
Ensure adequate Ranger Services	Report monthly on the Ranger activities and Issues arising	MES	Completed	100%	Ranger Activities reported
Foster a community that respects diversity and is supportive of cultural differences, ages and liabilities of community members	Fund initiatives included in the Disability Inclusion Action Plan	GM	Completed	100%	DISP adopted, budget allocation available for implementation of plans initiatives relating to Council

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Foster a community that respects diversity and is supportive of cultural differences, ages and liabilities of community members	Participate in inter agency, department, CWP meetings as requested and required	GM	Progressing	100%	Interagency meeting attended regularly. Other meeting attended when invited. These meeting include the BEAPS meetings that involve a number of departments.
Grow and invest in our future leaders	Support at least one youth initiative each quarter	Manager Community Engagement	Progressing	100%	The PCYC, supported by other agencies, is a major facilitator of youth activities in the region. Covid-19 restrictions has affected the delivery of these programs.
Improve lighting throughout the Bourke township	Seek continuous improvement in town lighting	MW	Completed	100%	LED street lighting has been installed in Bourke and all villages, this work was completed by Essential Energy.
Improve local main street amenity	Complete main street precinct upgrade	MCS	Completed	100%	Work is now complete for the first stage of the Oxley Street Project the final stage of the project was the planning of the garden beds. With the rain received in February and March and a good flow in the river this allowed for the planting to take place. This works will be. Work will continue in Sturt Street and the Wharf area once the Back O Bourke extension is completed. Council has secured an additional \$1.8M to complete works in Mitchell Street and Central Park. This works will complete improve the CBD amenity.
Improve telecommunications services	Tangible improvements to mobile and data coverage	GM	Completed	100%	Meeting held with Local Member. Will continue to lobby for improved services to the outback.
Improve the boat ramp at North Bourke	Improved boat ramp access, renew boat ramp	MW	Completed	100%	The new boat ramp access has been installed. Additional works is to be undertaken for storm water mitigation and drainage. Funding is available for this works.
Minimise the amount of graffiti	Focus quarterly on graffiti hotspots	MW	Completed	100%	Council maintaining daily inspections of all graffiti hot spots.

Our community values its safe, healthy lifestyle and is caring towards each other

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Encourage youth leadership	Actively support Youth Council, PCYC and other NGO youth agencies	Manager Community Engagement	Completed	100%	Council supports youth group activities through the PCYC and other associated youth focused agencies. Council is fully aware of the need to ensure youth of the region are engaged in pursuits that stimulate the development of the mind and body.

Strategy	Action Name	Responsible Officer Position	Status	Progress	Comments
Ensure a high level of youth services, amenities and activities	Support youth services quarterly	Manager Community Engagement	Completed	100%	Council, through Sport NSW, has supported the Active Kids Program and the Maranguka school holiday program.
Improve access to dental services	Increased visitation for dental services to broad community	Manager Community Engagement	Completed	100%	Dental services continue to be available at the Aboriginal health service.
Improve disability access	Undertake the strategies within the Disability Inclusion Action Plan	MW	Completed	100%	Council continually reviews the PAMP in line with disability access requirements. A full review of the document will be completed and updated in 2020/2021.
Increase our local population	Undertake activities that seek to increase our population	Manager Community Engagement	Completed	100%	Council continues to strive to promote the region as an area of choice for people, business and service providers. With the Darling River getting a flow in the first half of the year, the growth of economic diversity in the area appears in the positive mode.
Maintain a viable health system	Six monthly formal meetings with health providers to discuss needs and improvements	GM	Completed	100%	Meetings held. HSM attends regular Council meetings up until March 2020, due to COVID-19 meeting are now held via tele-conference. Meeting held regularly with LEMC to address the pandemic and the impact to our community. Minister Hazard attended the Hospital and talked with representatives from services when visiting Bourke on 25/11/2019.
Maintain a viable health system	The number of Doctors in town is maintained	GM	Completed	100%	Meetings held with RaHMS. Doctor's numbers are stable at the current time.
Maintain a viable health system	The quality and diversity of local health care is maintained	GM	Progressing	100%	There are a number of health organisations within the community that cover most health requirements. Council continues to lobby for the reopening of the birthing unit and to maintain the current level of care.
Respect and make welcome our senior citizens	Actively participate in seniors week each year	Manager Tourism and Events	Completed	20%	Seniors week application was lodged and was unsuccessful. Council staff prepared a programme and sent invitations to residence. In late March due to COVID-19 staff rescheduled the programme until later in the year.

15 CORPORATE SERVICES DEPARTMENT**15.1 ***BANK RECONCILIATION & STATEMENT OF BANK BALANCES**

File Number: F1.1
Author: Leonie Brown, Manager Corporate Services
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Bank Reconciliation and Statement of Bank Balances for the period ending 31 July 2020.

Current Situation**Bank Reconciliation for the period ending 31 July 2020**

Balances as per Bank Statement	\$1,385,138.74
Plus: Deposit not shown	\$2,815.51
Less: Unpresented Cheques	\$21,853.79
Balance as per Cash Book	\$1,366,100.46

Reconciled Ledger Accounts as at 31 July 2020

Fund or Account	Current Balance	Overdraft Statutory Limit
General	\$18,653,034.39	\$200,000.00
Water	\$458,898.10	
Sewer	\$2,255,171.62	
Trust	\$111,227.95	
Total Funds	\$21,478,332.06	

Investments as at 31 July 2020

National Australia Bank	\$449,045.39	1.53%	210 Days	A1+
National Australia Bank	\$3,025,587.95	1.35%	182 Days	A1+
National Australia Bank	\$1,141,382.85	1.30%	300 Days	A1+
National Australia Bank	\$2,985,160.38	1.35%	180 Days	A1+
National Australia Bank	\$1,092,041.99	1.04%	182 Days	A1+
National Australia Bank	\$698,409.62	1.00%	242 Days	A1+
National Australia Bank	\$1,074,018.09	0.90%	90 Days	A1+
National Australia Bank	\$1,711,130.64	0.95%	330 Days	A1+
National Australia Bank	\$672,014.53	0.85%	181 Days	A1+
National Australia Bank	\$800,093.82	0.85%	150 Days	A1+
National Australia Bank	\$3,088,206.99	0.45%	32 Days	A1+
National Australia Bank	\$3,375,139.35	Flex		
Total Investments	20,112,231.60			

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 July 2020

Balance as per cash book	\$1,366,100.46
Investments	\$20,112,231.60
Total, equalling Reconciled Ledger	\$21,478,332.06

Statement of Bank Balances as at 31 July 2020

	Balance	Transaction	Balance
	30 th June 2020		31 st July 2020
General Fund	\$17,784,029.33	\$869,005.06	\$18,653,034.39
Water Fund	\$2,867,640.48	-\$2,408,742.38	\$458,898.10
Sewer Fund	\$2,219,597.85	\$35,573.77	\$2,255,171.62
Trust Fund	\$112,180.05	-\$952.10	\$111,227.95
Investments	-\$21,591,130.23	\$1,478,898.63	-\$20,112,231.60
Totals	\$1,392,317.48	-\$26,217.02	\$1,366,100.46

Balance of all Funds as at 30 June 2020

\$1,392,317.48

Add Receipts for	
(a) Rates	\$222,181.50
(b) Other Cash	\$2,347,234.33
Deduct payments for	
(a) Payments	\$4,074,531.48
(b) New Investment	-\$1,478,898.63
Balance as 31 July 2020	\$1,366,100.46

Recommendation

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 31 July 2020 be noted.

15.2 * INVESTMENT REPORT AS AT 31ST JULY 2020**

File Number: F1.2
Author: Leonie Brown, Manager Corporate Services
Authoriser: Ross Earl, General Manager
Attachments: Nil

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 investment 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**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.

Financial Implications/Consideration

The 2020/21 Budget estimates the total investment revenue as \$295,000 which represents an estimated return of 1.475%. This revenue is split proportionally across General, Water and Sewer Funds and changes on a monthly basis in accordance with cash flow requirements.

The market value of Council's investments held as at 31 July 2020 is \$20,112,231.60.

Investment income earned as at 30 July 2020 is \$21,101.37.

Policy Provisions – Council Policy and Procedure

Policy 1.8.10(v5) – Investment Policy adopted 23 July 2020.

Ministerial Investment Order – 12 January 2011

Strategic Implications – Implications for Long Term Plans/Targets

Funds are invested in accordance with identified cash flow requirements.

Investment Portfolio**Investments as at 31 July 2020**

National Australia Bank	\$449,045.39	1.53%	210 Days	A1+
National Australia Bank	\$3,025,587.95	1.35%	182 Days	A1+
National Australia Bank	\$1,141,382.85	1.30%	300 Days	A1+
National Australia Bank	\$2,985,160.38	1.35%	180 Days	A1+
National Australia Bank	\$1,092,041.99	1.04%	182 Days	A1+
National Australia Bank	\$698,409.62	1.00%	242 Days	A1+
National Australia Bank	\$1,074,018.09	0.90%	90 Days	A1+
National Australia Bank	\$1,711,130.64	0.95%	330 Days	A1+
National Australia Bank	\$672,014.53	0.85%	180 Days	A1+
National Australia Bank	\$800,093.82	0.85%	150 Days	A1+
National Australia Bank	\$3,088,206.99	0.45%	32 Days	A1+
National Australia Bank	\$3,375,139.35	Flex		
Total Investments	20,112,231.60			

Term Deposits**Discussions/Comments**

The Investment portfolio decreased by \$1,478,898.63 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

That the report regarding Council's Investment Portfolio 31 July 2020 be received and noted.

That the Certificate of the Responsible Accounting Officer be noted and the report adopted

15.3 * AWNING IMPROVEMENT PROGRAM**

File Number: B3.4-G4.97
Author: Leonie Brown, Manager Corporate Services
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

In January 2020, Bourke Shire Council was awarded Funding to undertake the next stage of the main street beautification project. One of the elements of this project was to develop the Main Street Awning Improvement Program. An amount of \$150,000 has been set aside to deliver this program.

The intent of the Main Street Awning Improvement Program is to work with the private landowners within the main street area to improve the overall look and safety of the awnings in the street.

With grant funding that has previously been provided, Bourke Shire Council has sought to improve the amenity of the main street and ultimately make the main street a more welcoming environment for visitors and locals alike.

One of the long-standing initiatives to improve the overall look of the main street is to work with business owners to improve the façade and awnings within the main street precinct.

There is also a need for Bourke Shire Council along with the property owners to ensure the safety of pedestrians in regards to the awnings that overhang the public space, which is the footpath.

Current Situation

On the 27 May 2020, Council engaged a Chartered Engineer to undertake a preliminary assessment of awnings over the Oxley Street footpath to check the structural integrity and to offer any initial solutions if an issues were identified.

With many of the awnings, it was noted that there had been many years of rain ingress with some awnings receiving little maintenance. Many of the awnings are covered and so a detailed inspection was not possible on many of the awnings, which would involve the inspection of cantilever beams, tie rods, anchor points and linings.

A New South Wales Planning circular issued on the 10 May 2017 outlines that *“Awnings are part of the buildings to which they are attached and are the responsibility of the owner of the building, even when an awning is located over a public footpath. The Roads Act 1993 clarifies in section 142(1) the responsibility for awnings over roads (including footpaths) by requiring that a person having a right to control the structure must maintain it in a satisfactory state of repair. To address the safety of awnings across the state, councils need to adopt a strategy of progressively requiring inspection, certification and where required, upgrading of existing awnings”*.

Council wrote to all property owners of building with awnings that overhang onto public land, within the township of Bourke, on 2 September 2013 advising of their responsibilities and providing a copy of circular BS-13-001 dated 8 March 2013. Council staff also keep a register of awnings currently located over public land within the township of Bourke.

Section 356 of the Local Government Act allows financial assistance to be provided to others and provides a mechanism to enable the distribution of the grant funding provided for its intended purpose, which is to improve the awnings within the main street.

Specifically section 356 outlines that:-

(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

(2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.

(3) However, public notice is not required if:-

(a) The financial assistance is part of a specific program, and

(b) The program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and

(c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and

(d) The program applies uniformly to all persons within the council's area or to a significant group of persons within the area.

(4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.

An example of financial assistance provided by Bourke Shire Council is seen with the the Heritage Fund.

Given this background, it is recommended that Council proceed with the development of the Main Street Awning Improvement Program. This program should be delivered in two (2) parts with eligible land owners specified.

In order for the budget to be utilised for the benefit of as many main street business owners as possible it is further suggested that co contributions should be provided from owners and that property owners or those responsible should manage the project regarding their own awnings.

The recommended program is outlined below.

Main Street Awning Improvement Program

Total budget \$150,000

Delivered by 15th March 2021

The program should be delivered in two (2) parts:-

1. Consultancy for Structural Integrity
2. Building works for awnings

Consultancy for Confirming Structural Integrity

This is designed for owners of the property to which the awning is attached. Owners should engage a qualified person to undertake their own investigation of the structural integrity of the awning and provide detailed advice to confirm that the awning meets current building standards. Should the need arise this information will form the basis of future works to be undertaken to the awning.

Funding for determining the structural integrity of the awnings is available on a 2:1 basis to a maximum of \$3,000 per property. (For example, the maximum contribution from Bourke Shire Council of \$3,000 is available to be supported by a contribution of at least \$1,500 from the property owner).

Building works for awnings

This is designed to assist property owners to undertake works to eligible awnings to undertake work to:-

- Repair or maintain the awning to meet current building standards
- To remove an existing awning and reinstate
- To build a new awning in keeping with the streetscape

Applicants should be aware of the following:-

- Works will need to be undertaken by a licenced builder
- Consultation with Council's Heritage Advisor is required for any proposed works
- Works will need to be undertaken as per the detail outlined by a suitably qualified person
- Business owners should note that Council consent may be required to undertake the work
- Construction certification may be required
- Normal worksite and safe work provisions will apply
- Property owners should engage with Council regarding Heritage requirements and works should be in keeping with the streetscape created

Under this component of the program, it is recommended that a maximum amount of funding of \$8,000 be provided and this be provided on a 1:1 basis with the property owner. That is a maximum contribution of \$8,000 from Bourke Shire Council is available if the owner matches this with minimum expenditure of \$8,000.

Subject to the approval of Council for the program to proceed an application process will be developed. Additional eligibility criteria will include:-

- Funding is available to property owners of properties in Oxley St between Richard and Sturt Streets.
- Funding is made available per building. A building may cover multiple property lots).
- Funding is available only for the improvement of awnings and their components.
- Reports are to be made available to Bourke Shire Council.
- Works must be carried out by qualified consultants/ tradesman.
- All works undertaken will remain the responsibility of the owner of property.
- Funding is not available to State or Federally owned property.
- Funding is only available for awnings or proposed awnings that are above public space.
- Funding will be paid on the completion of the works funded.
- The availability of assistance from Bourke Shire Council does not excuse a property owner from their own responsibility regarding awnings over public lands.

Risk

Any investigation that is undertaken of the awnings may raise issues regarding to the integrity of the awning for which the Council may be required to act. However, funding is available to assist the property owner to make good any issues and Council and the property owners already have statutory responsibilities regarding awnings over public spaces.

There is also a risk that Council involvement will lead to a perception that responsibility for the awnings are not that of the property owner. This will be mitigated with a carefully developed application form and through direct consultation with the property owners.

There is a risk that property owners in other parts of town will see that this program is targeted to the main street only and that there may be a perception that this is not equitable. This can be mitigated by ensuring that all property owners are aware that specific funding was provided to deliver this program and that Bourke Shire Council has made strategic decisions in the past to upgrade the Oxley Street portion of the Central Business District.

Should this program be successfully delivered it may provide a method for delivering future programs for the benefit of other areas of the township.

Financial Implications

An amount of \$150,000 has been set aside for this project through the State Governments funding for the Bourke Business District Regeneration – Stage Two Grant.

Recommendation

- 1. That Bourke Shire Council proceed with the development of the Main Street Awning Improvement Program as outlined in the report.**
- 2. That Council advertise the availability of the programme as required under section 356 of the Local Government Act.**

15.4 * RATES WRITE-OFF ASSESSMENT 00433-10000000-000**

File Number: R2.5
Author: Meredith Thompson, Revenue Officer
Authoriser: Leonie Brown, Manager Corporate Services
Attachments: Nil

Background

Assessment number 00433-10000000-000 is a parcel of land located at 16-18 Hope Street, Bourke and is owned by the Aboriginal Housing Office (AHO). Council was contacted by a Senior Client Relationship Officer from the AHO, who informed Council that AHO has completed a demolition at this property due to fire damage.

Current Situation

As the property is owned by the AHO and is vacant land, under Section 555(1)(a) the property is exempt from all Rates and Charges. Detailed below is an excerpt of the Act and other relevant information:-

- The property is in the name of Aboriginal Housing Office on Valnet;
- With the demolition of the dwelling, the property is now deemed “vacant”;
- The Aboriginal Housing Office is a statutory body and is a division of the NSW Department of Family and Community Services (State Government = Crown);
- Under Section 555 (1)(a) and Section 557 Exemption from **ORDINARY AND SPECIAL RATES**

What land is exempt from all rates?**555 What land is exempt from all rates?**

(1) The following land is exempt from all rates-

(a) land owned by the Crown, not being land held under a lease for private purposes,

557 What land is exempt from water supply special rates and sewerage special rates?

(1) In addition to the land specified in section 555, water supply special rates may not be levied on land to which the council has resolved not to supply water.

- If non-Rateable vacant crown land is not utilising Council services, then annual charges should not apply. **NOTE: vacant crown land MUST NOT be attempting to use any water, sewer or waste charges;**
- Water Supply services / meters should be REMOVED or capped at Aboriginal Housing Office expense.

Council will now need to write-off Rates and Charges levied on the property for the 2020/2021 financial year.

Financial Implications

Detailed below is the value of the General Rates and Charges levied for the 2020/2021 period.

Description:	Total:
Ordinary Rates	\$ 199.56
Domestic Waste Charge	\$ 285.00
Filtered Water Access 20mm	\$ 206.00
Raw Water Access 25mm	\$ 531.00
Drainage Levy	\$ 171.00
Sewer Access Single	\$ 752.00
TOTAL RATES & CHARGES 2020-21	\$ 2,144.56

Recommendation

That Council write off Ordinary/General Rates and Charges for Assessment 00433-100000000-000 for the period 1 July 2020 to 30 June 2021 in the amount of \$2,144.56.

15.5 NEW ACCOUNTING STANDARDS AASB 16 - LEASES - LOW VALUE THRESHOLD

File Number: F1.1-F1.4-F1.8
Author: Leonie Brown, Manager Corporate Services
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Council is required to adopt relevant new Australian Accounting Standards as they are issued.

Recently a new Standard **AASB 16 – Accounting for Leases** was issued by the Australian Accounting Standards Board, and came into effect for Council reporting purposes on 1 July 2019. The main impact of the new Standard requires Council to report leases, particularly those where it is the Lessee, on the Balance sheet (Statement of Financial Position) rather than on the Income Statement as was previously the case. In simple terms this means that most leases where Council is the Lessee will in future be treated as assets and/or liabilities, rather than as expenses. The term ‘lease’ is used very broadly and could impact agreements such as hire arrangements, licences, or other transactions which may not be termed a lease in the common use of the word.

Current Situation

The accounting treatment for leases is now significantly different and requires a review of each separate lease agreement and the calculation of asset and liability values based on the amount of the lease payment, the term of the lease and other matters. Fortunately, there are some exemptions in the Standard, which limit the impact to some extent, such as excluding leases where the lease term is less than 12 months, where the lease payment is regarded as a ‘peppercorn’ rental, and where the value of the leased asset is below a reasonable threshold determined by Council.

In regards to the last point above, the threshold limit applies to the estimated value of the leased asset, for example a parcel of land, a building, or an item of plant or equipment. In recent workshops and advice from the Office of Local Government, it is suggested that Council adopt a threshold below which the ‘low value’ exemption applies. Councils are encouraged to determine a value of between \$7,000 and \$10,000 nominally, in practice anywhere in that range will have no real impact on Council at this point, given that the respective assets (mainly land or buildings) for existing leases where Council is a Lessee, are valued at either well below or well above this range.

On that basis, Council is requested to adopt a threshold of \$10,000 in respect to the low value exemption provided in AASB 16, so that current and future leases can be assessed against this threshold for financial reporting and audit purposes.

Financial Implications

The financial implication is the additional time taken to review and determine the impact of the Leases. These additional cost will be absorbed in the current budget.

Recommendation

That Council adopt a threshold of \$10,000 applicable to the exemption for low value assets in accordance with AASB 16 – Accounting for Leases.

15.6 AGENCY INFORMATION GUIDE AND ACCESS TO INFORMATION REVIEW

File Number: P4.1
Author: Leonie Brown, Manager Corporate Services
Authoriser: Ross Earl, General Manager
Attachments: 1. Access to Information

Background

This report provides a brief on the review of Council's Access Information Guide in accordance with s. 21 of the *Government Information (Public Access) Act 2009* and seeks Council approval to adopt the revised Agency Information Guide. Also included Access to Information Policy as this Policy details how the information can be accessed.

Current Situation

Council is required under s 21 of the *Government Information (Public Access) Act 2009* to annually review and adopt an 'agency information guide' as part of its mandatory open access information. The guide must contain information on Council's structure and functions; the way Council's functions affect the public; how the public may participate in Council's policy development; the kind of documents Council holds and how members of the public may access and amend Council documents. The information guide must be available on Council's website.

Council staff have reviewed the agency Information Guide and Access to Information Policy and made the following changes:-

Agency Information Guide

1. Clause 1.: Minor amendments and additional detail around the function of council
2. Clause 1.2.: Amended the Organisation Structure with the removal of Manager of Tourism and Manager of Economic Affairs to Manager Community Engagement
3. Clause 3.1.: Amended the date of the next election to September 2021 to reflect amendment to the Local Government Act in response to the COVID-19 pandemic
4. Clause 6.1.: Amended Councils email address

Access to Information

1. Updated website detail for the Office of the Information Commissioner of NSW to <https://www.ipc.nsw.gov.au/information-access>

A copy of the amended Agency Information Guide and Access to Information Policy is included for Council's information and approval

Financial Implications

Nil

Recommendation

That Council adopt the Agency Information Guide 2020 and Access to Information Policy for integration into operational controls in accordance with *Government Information (Public Access) Act 2009*



ACCESS TO INFORMATION POLICY

Policy No: 1.4.10(v2)

Date Adopted: 23/7/2018

Resolution No:

Supersedes: 1.4.10

Proposed Review Date:

Responsible Officer: Manager Corporate Services

Verified by
General Manager.....

Verified by
Mayor.....

1. Purpose

To establish the principles that apply and Council's approach to, disclosure of information and rights of public access to documents.

Council is subject to NSW legislation regarding disclosure of information, in particular the Local Government Act (LGA), the Government Information (Public Access) Act (GIPA Act) and the Environmental Planning and Assessment Act (EP&A Act). It also is subject to the NSW Privacy and Personal Information Protection Act (PPIPA) and Health Records Information Privacy Act (HRIPA) that establish standards for information handling practices for personal and health information.

The Commonwealth Copyright Act 1968 may apply in some circumstances to limit the copying of certain documents held by the Council.

2. Policy statement

Council is committed to:

- Openness and transparency in the conduct of its public functions.
- Proactive disclosure and dissemination of information about operations, plans and decisions or information that will enhance quality of life and economic development of the community.
- Provision of access to Council documents unless disclosure in a particular case would be contrary to the public interest.

3. Principles

Council will promote disclosure and dissemination of information about operations, plans and decisions, and information that promotes community advancement on its website wherever practicable, and will facilitate public access through this and other appropriate mediums.

Documents required by law to be available for public inspection will be posted on the website, unless internet access poses an unacceptable risk of interference with privacy through potential data gathering and matching techniques or unless to do so would impose unreasonable additional costs on Council.

Any person is entitled to have information about their place of residence suppressed from documents available for inspection where disclosure would endanger personal safety, or removed from any register available for public inspection in accordance with the PPIPA.

Other Council documents not posted on the website will be available for inspection unless disclosure on balance is contrary to the public interest.

Copying of some documents may be restricted where the Copyright Act imposes limitations.

Council's Guidelines on Access to Information (attached) list the types of documents available including public registers available for inspection.

The Guidelines also list the categories of documents not available because of legislative restrictions or because disclosure is likely to be contrary to the public interest. Documents of this kind include

those that contain information about the personal affairs of other ratepayers, commercially sensitive information, or information which if disclosed would have an adverse effect on Council's law enforcement or other functions, such as the identifying particulars of complainants.

Inspection of Council documents which are specified as Open Access Information as outlined in Clause 18 of the GIPA Act, is free of charge, or on payment of reasonable copying charges. Fees for Formal Applications are outlined in the attached Guidelines.

Broad requests for access to a large number of unspecified documents which, if processed, would divert substantial Council resources from dealing with other requests, or from performing other Council functions may be refused on the grounds that such a diversion of resources is contrary to the public interest (Clause 60 GIPA Act).

Any member of the public may also lodge a formal application under the GIPA Act, which will be dealt with in accordance with the Act's provisions. Formal applications will not be required where documents are otherwise available in accordance with this policy and associated guidelines.

Any individual also has a right to know what personal or health information Council holds about him or her, to access that information in accordance with the provisions of the PPIPA and the HRIPA, and to amend that information in certain circumstances.

BOURKE SHIRE COUNCIL
GUIDELINES ON INFORMATION ACCESS
(To be read in conjunction with Council's Access to
Information Policy)

Introduction

These guidelines set out the documents and types of information that are available to members of the public on a proactive basis, and those that will not generally be available for inspection and copying. These guidelines relate not only to written information, or information held within another format, such as within a computer system but also any information given out face to face, or via a telephone or email.

Council is committed to proactive dissemination of information about the conduct of its public functions and information that will assist community advancement.

Documents required to be available for public inspection as open access information will, where practicable, be made available on Council's website, unless to do so would impose unreasonable additional costs on Council.

Council will deal with informal requests to inspect other documents in accordance with the GIPA Act free of charge but charges may apply for photocopies, and for any additional services which go beyond the provision of access to identified documents.

The rights of access under the GIPA Act are the specified documents listed in Schedule 5 Government Information (Public Access) Regulation 2009 and to other documents held by the Council unless disclosure is, on balance, contrary to the public interest.

While any application will be considered on its merits Council may refuse access where:

- a) dealing with the application would require an unreasonable and substantial diversion of the Council's resources,
- (b) the Council has already decided a previous application for the information concerned (or information that is substantially the same as that information) made by the applicant and there are no reasonable grounds for believing that the Council would make a different decision on the application, (clause 60)

Any applications will be processed in accordance with the Act's requirements and a decision made to provide access to the documents, or not to provide access based on public interest considerations of the GIPA Act. Charges for formal GIPA applications are set out in Council's Schedule of Fees and Charges.

An individual also has rights to access and amend the personal and health information held by Council about him or her under the PPIPA and the HRIPA. Where information about an individual is held in documents, files or systems that include information about other persons, any request should be made under the GIPA Act which provides for consultation with any other affected parties prior to the possible provision of access to information concerning their personal or business affairs.

Privacy Legislation and Access to Council Information and Documents

The privacy acts referred to above also apply to the collection, storage, use and disclosure of personal and health information by Council. The acts set out principles for the handling of this type of information.

Full details of the acts and Council's obligations are set out in the Privacy Management Plan.

It is not a breach of the privacy principles to disclose personal or health information where this is in accordance with the acts, (e.g. where disclosure is consistent with the purpose for which the information was collected, or where the person was aware that particular information is usually disclosed) or where another act or law requires, permits or contemplates disclosure.

Disclosure of documents required to be made available for public inspection by the GIPA Act, LGA, the EP&A Act or any other act, of disclosure under the GIPA Act is not contrary to privacy legislation.

Where access to other documents is requested and a judgment needs to be made about whether disclosure, on balance, is contrary to the public interest, privacy may be a consideration if personal information about another person is involved. Relevant factors include the nature of the information, and the degree to which disclosure involves significant privacy issues, and any public interest that would be advanced by disclosure. Council may need to be able to explain considerations taken into account in deciding to disclose personal information to someone other than the person concerned.

Council Documents Available for Inspection

The following documents are available for inspection as required by Schedule 1 Government Information (Public Access) Regulation 2009 and can be accessed via Council's website or by contacting either Council's Public Officer or Council's Manager or General Manager on 02 68308000.

1 Information about Council

- (1) Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:
- (a) the model code prescribed under section 440 (1) of the LGA and the code of conduct adopted under section 440 (3) of the LGA,
 - (b) Code of Meeting Practice,
 - (c) Annual Report,
 - (d) Annual Financial Reports,
 - (e) Auditor's Report,
 - (f) Management Plan,
 - (g) EEO Management Plan,
 - (h) Policy concerning the payment of expenses incurred by, and the provision of facilities to, Councillors,
 - (i) Annual Reports of bodies exercising functions delegated by Council,
 - (j) any codes referred to in the LGA
- (2) Information contained in the following records:
- (a) returns of the interests of councillors, designated persons and delegates,

- (b) Agendas and Business Papers for any meeting of Council or any committee of Council (but not including business papers for matters considered when part of a meeting is closed to the public),
- (c) Minutes of any meeting of Council or any committee of Council, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting,
- (d) Departmental representative reports presented at a meeting of the local authority in accordance with section 433 of the LGA.

(3) Information contained in the current version of the following records:

- (a) Land register,
- (b) Register of investments,
- (c) Register of delegations,
- (d) Register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008,
- (e) Register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA,
- (f) the register of voting on planning matters kept in accordance with section 375A of the LGA.

2 Plans and policies

Information contained in the current version and the most recent previous version of the following:

- (a) Policies adopted by Council concerning approvals and orders,
- (b) plans of management for community land,
- (c) Environmental planning instruments, development control plans and contributions plans made under the EP&A Act applying to land within the local authority's area.

3 Information about development applications

(1) Information contained in the following records (whenever created):

- (a) Development applications (within the meaning of the EP&A Act) and any associated documents received in relation to a proposed development including the following:
 - (i) Home warranty insurance documents,
 - (ii) Construction certificates,
 - (iii) Occupation certificates,
 - (iv) Structural certification documents,
 - (v) Town planner reports,
 - (vi) Submissions received on development applications,
 - (vii) Heritage consultant reports,
 - (viii) Tree inspection consultant reports,
 - (ix) Acoustics consultant reports,
 - (x) Land contamination consultant reports,
- (b) Records of decisions on development applications (including decisions made on appeal),
- (c) A record that describes the general nature of the documents that the council decides are excluded from the operation of this clause by subclause (2).

- (2) This clause does not apply to so much of the information referred to in subclause (1) (a) as consists of:
- (a) the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
 - (b) Commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.
- (3) A council must keep the record referred to in subclause (1)(c).

4 Approvals, orders and other documents

Information contained in the following records (whenever created):

- (a) Applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application,
- (b) Applications for approvals under any other Act and any associated documents received in relation to such an application,
- (c) Records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,
- (d) Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA,
- (e) Orders given under the authority of any other Act,
- (f) Records of building certificates under the EP&A Act,
- (g) Plans of land proposed to be compulsorily acquired by the local authority,
- (h) Compulsory acquisition notices,
- (i) Leases and licences for use of public land classified as community land;
- (j) Performance improvement orders issued to a council under Part 6 of Chapter 13 of the LGA.

Public Registers

In addition to registers mentioned above, Council maintains other registers which are required by law to be available for public inspection.

Where the public register contains personal or health information, Council is required to ensure that access by a member of the public is for a purpose consistent with the purpose for which the register exists. The Local Government Code of Practice issued under the PPIPA permits Council to provide access to such registers by way of inspection on Council premises and for the copying of an entry or page in the register without regard to the purpose of the person who seeks access.

Council reserves the right to seek to satisfy itself about the purpose of access and to require a statutory declaration from the person seeking access that personal information will only be used for a specified lawful purpose.

In relation to the returns of interests of councillors, designated persons and delegates Council will maintain a record of the names of persons who access these documents.

Council maintains some registers which are not available for public inspection. Particular entries in these registers, for example from Council's Rates Record and the Register of Impounded Items

required by the Impounding Act, are available to any person. In the case of an application for a certificate of an entry in the Rates Record under Section 603 of the LGA, a charge is payable.

Access to Other Documents Held by the Council

Other Council documents are available for inspection under the GIPA Act unless disclosure is, on balance, contrary to the public interest. Any application must be received in writing and will be processed promptly and within the agreed timeframe.

The request should specify the documents sought, with a reference to any time or date limitations. Any application will be considered on its merits and considered in the light of the obligation to make documents available unless public interest considerations favour the withholding of the document(s).

Information and Documents Not Usually Available

Information about the name of a property owner is in the public domain through internet access to the register maintained by the NSW Land and Property Information Service.

Council holds information about property ownership for the purpose of carrying out its functions. Council policy is not to make available information about the name of a property owner except in emergency circumstances or where the enquirer can establish a clear need to know. Council will not supply bulk property data to third parties for the purposes of direct marketing.

Documents listed below will not usually be available because they are excluded from the right to access by an express provision in the LGA, or Council has concluded that disclosure of such documents, or documents containing information of the kind indicated would, in the usual case, be contrary to the public interest.

Documents Not Available Because of Provisions in LGA

The following information will not be available:

- Papers submitted to Council for consideration in a closed session.
- Documents containing information about personnel matters concerning particular individuals, the personal hardship of any resident or rate payer, trade secrets or other sensitive commercial information, or where disclosure would found an action for breach of confidence.
- Documents that contain information, the release of which would constitute an offence against an Act.

Other Documents Not Available

- Documents or parts of documents which would reveal the identifying particulars of persons who provide information to Council in connection with its law enforcement and regulatory responsibilities, or who otherwise contact Council about matters of interest or concern, including complaints about other persons conduct or activities, and matters that require investigation by Council.
- Documents which reveal confidential communications between the Council and its legal advisers, or documents which have been prepared by Council officers or others for the dominant purpose of use in proposed or anticipated legal proceedings.

- Documents, the release of which are likely to endanger the life or safety of any person, or the security of any building or structure, or which would prejudice the conduct of a lawful investigation by Council or another authority.
- Documents concerning Council functions or operations where disclosure would have a prejudicial effect on Council's property or financial interests, or would otherwise have an adverse effect on its regulatory functions, or its capacity to operate in an efficient and effective manner.
- Council working documents prepared or received in connection with its decision making functions, prior to the making of a decision by Council, a committee of Council, or an officer exercising delegated authority.

It should be noted that access through verbal advice as to the content of documents listed above is also not available.

Large General Requests for Access to Documents

Broad, general requests for a large number of documents, for example all documents of a certain kind, or documents held on a number of different Council files, or which otherwise require a substantial allocation of Council resources, may be refused after consideration of the public interest factors involved by Council's Public Officer/ Right to Information Officer. The Officer may, in the light of an assessment of the work involved in identifying, locating, collating and assessing a large number of Council documents, conclude that access should be refused on the grounds that the substantial diversion of Council resources necessary to deal with the application would, on balance, be contrary to the public interest. The Public Officer/Right to Information Officer shall, in reaching such a decision take into account the following:

- an assessment of the work and time involved in responding to the application.
- the extent to which the work involved in dealing with the request would result in Council resources being diverted from dealing with other access requests, or from other important functions.
- the nature of the documents requested and any public interests to be advanced by disclosure generally, or disclosure to the particular applicant. Council acknowledges there is a public interest in disclosure of documents about Council operations and the exercise of its functions, and in a particular applicant gaining access to documents where there is a strong and justifiable right to know.

However the right to access documents free of charge to an individual also requires consideration of the effect the processing of such an application may have on the rights of others, and on the efficient and effective use of Council resources in the interests of all ratepayers.

Refusal of Access

Where access to documents is refused under the GIPA Act, Council will advise the applicant in writing of the reasons for the decision. In the case of refusal on grounds that dealing with the request would involve the substantial diversion of Council resources, the Public Officer/Right to Information Officer will provide details to the applicant in writing, including an estimate of the time involved in responding to the application and consideration of the other factors mentioned in these guidelines however before doing so will give the applicant a reasonable opportunity to amend the application

Any applicant dissatisfied with Council's handling of a request for documents under GIPA Act may seek a review in accordance with Sections 82 - 88 of the GIPA Act and may also seek a review of reviewable decisions through either the Information Commissioner or the NSW Civil and Administrative Tribunal.

Copyright

Copyright issues may arise when requests are made for copies of documents held by the Council. The Commonwealth Copyright Act 1968 takes precedence over State legislation. Therefore the right to copy documents under the GIPA Act does not override the Copyright Act.

If Council commissions a report etc. from a consultant it will be under the terms of the contract whether it can be copied. With regard to documents supplied with development applications, Council's development application form includes a statement whereby applicants give their permission to allow documents included with a development application to be accessed under the GIPA Act.

Access to Information by Councillors and Administrators

The process for access to information by Councillors and Administrators is outlined in Part 7 of Council's Code of Conduct.

GIPA Act

Access to the GIPA Act is available from the website of the Office of the Information Commissioner of NSW at the following link:

<https://www.ipc.nsw.gov.au/information-access>

Government Information (Public Access) Act 2009
ACCESS APPLICATION

Please complete this form to apply for formal access to government information under the *Government Information (Public Access) Act 2009* ("GIPA Act"). Please forward to Right to Information Officer, Bourke Shire Council PO Box 21 (or 29 Mitchell Street) Bourke NSW 2840. If you need help in filling out this form, please contact the Public Officer on 02 68308 000 or visit our website at www.bourke.nsw.gov.au

Your details

Surname: Title: Mr / Ms
Other names:
Postal address: Postcode:
Day-time telephone: Facsimile:

Email:

The questions below are optional and the information will only be used for the purposes of providing better service.

Place of birth: Main language spoken:

Aboriginal or Torres Strait Islander: Yes / No (circle one)

Do you have special needs for assistance with this application:

I agree to receive correspondence at the above email address.

Government information

Please describe the information you would like to access in enough detail to allow us to identify it. Note: If you do not give enough details about the information, the Council may refuse to process your application.

.....
.....
.....
.....
.....

Are you seeking personal information? Yes / No (circle one)

Form of access

How do you wish to access the information?

Inspect the document(s) A copy of the document(s)
 Access in another way (please specify)

Application Fee

I attach payment of the \$30 application fee by cash / cheque / money order (circle one).

(Note: please do NOT send cash by post)

Disclosure log

If the information sought is released to you and would be of interest to other members of the public, details about your application may be recorded in the agency's 'disclosure log'. This is published on the agency's website.

Do you object to this? Yes / No (circle one)

Discount in processing charges

If you are given access to the information sought, you may be asked to pay a charge for processing the application (\$30 / hour). Some applicants may be entitled to a 50% reduction in their processing charges. If you wish to apply for a discount, please indicate the reason:

- Financial hardship – please attach supporting documentation (e.g. a pension or Centrelink card).

AND / OR

- Special benefit to the public – please specify why below:

.....
.....
.....

Applicant's signature:

Date:



AGENCY INFORMATION GUIDE

Prepared in accordance with the provisions of Section 20 of the Government Information (Public Access Act 2009 No 52)

Policy No: 1.4.11(v5)

Date Adopted: 23/7/2018

Resolution No:

Supersedes: 1.4.11(v4)

Proposed Review Date: 23/7/2020 24/08/2022

Responsible Officer: Manager Corporate Services

Verified by
General Manager.....

Verified by
Mayor.....

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1.1 Structure and Function of Council

The role of the Council is to:

- direct and control the affairs of the Council in accordance with the LGA;
- provide effective civic leadership to the local community;
- ensure as far as possible the financial sustainability of the Council;
- ensure as far as possible that the Council acts in accordance with the principles set out in the LGA and the plans, programs, strategies and policies of the Council;
- develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the Council;
- determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the Council's resources to implement the strategic plans (including the community strategic plan) of the Council and for the benefit of the local area;
- keep under review the performance of the Council, including service delivery;
- make decisions necessary for the proper exercise of the Council's regulatory functions;
- determine the process for appointment of the General Manager by the Council and to monitor the General Manager's performance;
- determine the senior staff positions within the organisation structure of the Council;
- to consult regularly with community organisations and other key stakeholders and keep them informed of the Council's decisions and activities; and
- be responsible for ensuring that the Council acts honestly, efficiently and appropriately.

The Mayor is the leader of the council and a leader in the local community. He/she has a role to enhance community cohesion and is the principal member and spokesperson of the governing body.

The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision making functions of the governing body ~~body politic~~, between its meetings and performs any other functions that the Council determines. The Mayor also ensures the timely development and adoption of strategic plans, programs and policies of Council, promotes partnerships and provides strategic direction to the General Manager.

The Principal Officer of the Council is the General Manager. The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff, as well as the implementation of Council's ~~Equal Employment Opportunity Management Plan~~ workforce management strategy, exercise functions delegated by Council and provide advice to the Mayor and Councillors regarding ~~????~~ strategic plans, programs, strategies and policies.

To assist the Council in its policy and decision making role, the Council uses a 'committee system' through which the majority of matters which need determination by Council are considered comprehensively. It has three standing committees: these being the Town and Village Committee, Roads and Plant Committee and Corporate Planning Committee.

1.2 Organisational Structure

The functional structure of the organisation is set out below:



1.3 Council Functions

Council has functions conferred or imposed on it by the Local Government Act, 1993. These functions are:

SERVICE FUNCTIONS	REGULATORY FUNCTIONS	ANCILLARY FUNCTIONS	REVENUE FUNCTIONS	ADMINISTRATIVE FUNCTIONS	ENFORCEMENT FUNCTIONS
Including: * Community health, recreation, education and information services * environmental protection * waste removal & disposal * land & property, industry & tourism development & assistance *civil infrastructure planning *civil infrastructure maintenance & construction	Including: * approvals * Orders * Building Certificates	Including: * Resumption of Land * Powers of entry & inspection	Including: * Rates * Charges * Fees * Borrowings * Investments	Including: * Employment of staff * Community strategic plans * Financial Reporting *Annual Reports	Including: * Proceedings for breaches of the Local government Act and Regulations * Prosecution of offences *Recovery of unpaid rates and charges

As well as the Local Government Act 1993, Council has powers under a number of other Acts including, but not limited to:

Biodiversity Conservation Act 2016
Coastal Management Act 1979
Commons Management Act 1989
Community Land Development Act 1989
Companion Animals Act 1998
Contaminated Land Management Act 1997
Conveyancing Act 1919
Crown Lands Act 1989
Environmental Planning and Assessment Act 1979
Fire Brigades Act 1989
Fluoridation of Public Water Supplies Act 1957
Food Act 2003
Government Information (Public Access) Act 2009
Heritage Act 1977
Impounding Act 1993
Library Act 1939
Privacy and Personal Information Protection Act 1998
Protection of the Environment Operations Act 1997
Public Health Act 2010
Recreation Vehicles Act 1983
Roads Act 1993
Rural Fires Act 1997
State Emergency & Rescue Management Act 1989
State Emergency Service Act 1989
Strata Schemes Development Act 2015
Strata Schemes Management Act 2015
Swimming Pools Act 1992
Unclaimed Money Act 1995

In order to undertake its functions, Council has identified the following Principal Activities and Functions:

Principal Activities	Functions
Administration	Governance Management Accounting Services Financial Accounting Services Human Resource Services Information Technology Services Administrative Services Technical Support Services Rates and General Revenue Customer Services Commercial Activity Risk Management Asset Services Strategic Activities Community and Social Consultation RTA Agency Depot Services Works Services Fleet Management
Economic Affairs	Land Development Tourism and Area Promotion Special Projects Economic Development Community Development Back O' Bourke Exhibition Centre, PV Jandra, Crossley Engine Saleyards and Markets Industrial Development
Public Order and Safety	Fire Protection Animal Control Emergency Services Other Public Order and Safety Abandoned Buildings
Health	Environmental and Health Services Environmental Support Services Land use Services Other Health Noxious Plants

Community Services	Aged and Disabled Services Education Youth Services Other Community Services
Housing and Community Amenities	Housing Town Planning Development Approval and Control Domestic and Trade Waste Management Services Street Cleaning Urban Stormwater Drainage Cemeteries Community and Village Amenities Environmental Protection
Water Supplies	Bourke and Villages Water Supply
Sewerage Services	Sewerage Services
Recreation and Culture	Library Services Community Centres Public Halls Sporting Grounds and Facilities Other Cultural Services
Public Facilities	Bourke Olympic Swimming Pool
Recreational Services	Parks, Gardens and Reserves
Mining, Manufacturing and Construction	Construction and Building Quarries and Gravel Pits
Transportation and Communication	Road Network Town and Village Streets and Lanes Aerodromes Footpaths and Cycle ways Traffic Management Street Lighting Kerbing and Guttering Street Trees

2. How Council functions affect members of the public

As a service organisation, the majority of the activities of Bourke Shire Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as meals on wheels, child care services and libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage.

Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and not endanger the lives and safety of any person. Members of the public must be aware of, and comply with, such regulations.

Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative functions do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unregistered dogs and parking offences.

Community planning and development functions affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as NAIDOC Week, Youth Week, Seniors Week, as well as promoting events of others.

3. Council policy development & functions – public participation

There are two broad ways in which the public may participate in policy development and, indeed, the general activities of the Council. These are:

3.1 Representation

Councils in New South Wales are elected every four years. The next **general** elections are scheduled to be held in September 2021, **due to amendments made having regard to the impact of the COVID-19 Pandemic.**

At each election, voters **generally** elect Councillors for a four year term. **Councillors elected at the 2021 election will be appointed for a three (3) year term.** All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non-residential roll. Voting is compulsory.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy. **Councillors only have a decision making role when they formally meet as a Council.**

3.2 Personal Participation

Members of the public are able to attend Council meetings, with Bourke Shire Council meeting on the 4th Monday of each month. **except The exception to this is in November, which is determined each year to coincide with the December meeting. December (when with no meeting is held) and January, which is determined to coincide with Australia Day being held in December. In January the meeting date is scheduled not to conflict with Australia Day.**

Council committees are held as required with recommendations submitted to the Ordinary Council Meetings for consideration and adoption.

Members of the public are able to make submissions for Council's consideration in relation to the development of its Community Strategic Plan, Operational Plan and Delivery Program as well as on proposals relating to development, subdivision and building applications.

4. Documents held by Council

Council holds government information (hard copy and electronic form) that relate to a number of different issues concerning the Bourke shire Council area. These documents are grouped into three categories:

1. Electronic documents
2. Physical files
3. Policy documents

4.1 Files – both “physical” and electronic

Council’s files are not available on the website however information from these files may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provisions of the Government Information (Public Access) Act 2009 (GIPA).

Members of the public who require an informal release or an access application can do so by contacting Council.

4.2 Policy documents

Council’s policies are maintained in a policy register – required documents are available on the website.

5. How to access Council information

There are four (4) ways in which Council information is made available to the public under the GIPA Act:

5.1 Open access information

This information is mandatorily available in accordance with the GIPA Act. The public is entitled to inspect these documents either on Council’s website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous government information of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges, subject to copyright. The list of government information held by Council is set out below:

1. Information about Council

- ~~The model code prescribed under section 440 (1) of the LGA~~
- Council’s adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor’s Report
- Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan
- EEO Management Plan
- Policy concerning the Payment of Expenses Incurred by, and the Provision of Facilities to, Councillors
- Annual Reports of Bodies Exercising Functions Delegated by Council
- Any Codes referred to in the LGA
- Returns of the Interests of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for any meeting of Council or any Committee of Council

- Minutes of any meeting of Council or any Committee of Council
 - Departmental Representative Reports presented at a meeting of Council
 - Land Register
 - Register of Investments
 - Register of Delegations
 - Register of Graffiti removal works
 - Register of current Declarations of Disclosures of Political donations
 - Register of Voting on Planning Matters
2. **Plans and Policies**
- Local Policies adopted by Council concerning approvals and orders
 - Plans of Management for Community Land
 - Environmental Planning Instruments, Development Control Plans and Contribution Plans
3. **Information about Development Applications**
- Development Applications and the following associated documents received in
- relation to a proposed development:
 - Home Warranty Insurance documents
 - Construction Certificates
 - Occupation Certificates
 - Structural Certification Documents
 - Town Planner Reports
 - Submissions received on Development Applications
 - Heritage Consultant Reports
 - Tree Inspections Consultant Reports
 - Acoustic Consultant Reports
 - Land Contamination Consultant Reports
 - Records of decisions on Development Applications including decisions on appeals
 - Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information
4. **Approvals, Orders and Other Documents**
- Applications for approvals under part 7 of the LGA
 - Applications for approvals under any other Act and any associated documents received
 - Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decisions made on appeals concerning approvals
 - Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA
 - Orders given under the Authority of any other Act
 - Records of Building Certificates under the Environmental Planning and Assessment Act 1979

- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land
- Performance improvement orders issued under Section 6 of Chapter 13 of the LGA

In addition to the above the following government information known as "open access information" is also publicly available:

- Council's current agency information guide,
- Information about the Council contained in any document tabled in Parliament by or on behalf of the Council, other than any document tabled by order of either House of Parliament,
- Council's policies
- Council's disclosure log or access applications
- Council's register of government contracts
- Council's record of the open access information (if any) that it does not make publicly available on the basis of an overriding public interest against disclosure,
- such other government information as may be prescribed by the regulations as open access information.

5.2 Proactive release

Council is encouraged to make as much information of public interest as possible publicly available free of charge or at minimal cost, such as frequently requested information or information of special public interest. The information to be proactively released is decided at

Council's discretion. It is published in an appropriate manner and either free of charge or available at a reasonable cost.

Council makes the following information of public interest available on its website:

- Council events information
- Council news updates
- Fees and Charges
- Government submissions
- Community Information Directories, Publications and Services
- Infrastructure Program Updates
- Major Projects Updates

5.3 Informal Release

Council is authorized to release information in response to an informal request, unless there is an overriding public interest against disclosure of the information, such as if another person's personal information is included in the information.

A written application is required to request information informally.

5.4 Formal Release

You are also able to request access to Council information, including information not available as open access, proactive release or informal release, by lodging a Formal Access to Information Request.

You will need to lodge a formal application if:

- You are requesting another person's **personal information** (e.g. complainant's details)
- You are requesting information relating to an **insurance claim**
- Your request will involve retrieval of a **large number of documents or files** (five files or more)
- You are requesting information relating to **companion animals**

For an application to be considered valid, it must:

- Be **in writing**
- Have the **\$30 application** fee paid upon lodgement
- Include a postal address within Australia
- Contain enough details to allow the required information to be identified.

The **\$30 application fee** will cover the first hour of processing. Subsequent time spent processing the application will incur a charge of **\$30 per hour**. You will be informed of the estimated total cost of your application within five days of the application being received.

6. How members of the public may access and amend Council Government Information concerning their personal affairs

As mentioned previously, Council has a vast range of documents that can be accessed in varying ways. Most documents require an appointment to be accessed, in order to allow files to be retrieved from Council's off-site storage facility. Appointments can be made to view documents at Council's Administration Office, 29 Mitchell Street, Bourke, between the hours of 8.00am to 4.30pm, Monday to Friday (except public holidays); Telephone: 02 6830 8000 or Fax: 02 6872 3030.

If a fee for photocopies of documents provided under the GIPA Act is payable, it will be listed in Council's adopted Schedule of Fees and Charges and GST is included.

6.1 Public Officer and Right to Information Officer

Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer who is responsible for determining applications for access to documents.

If you believe that a Council record is incorrect and you would like to have this amended it is necessary for you to make *written* application to the Public Officer in the first instance.

Enquiries should be addressed as follows:

General Manager
Bourke Shire Council
PO Box 21
Bourke NSW 2840
[Email: council@bourke.nsw.gov.au](mailto:council@bourke.nsw.gov.au)
[Email: bourkeshire@bourke.nsw.gov.au](mailto:bourkeshire@bourke.nsw.gov.au)

7. Further information

If you require any other advice or assistance about access to information you may contact the Information and Privacy Commission using the following details:

Phone: 1800 472 679
Fax: (02) 8114 3756.
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

16 COMMUNITY ENGAGEMENT

Nil

17 TOURISM & EVENTS

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 COMMITTEE MINUTES

Nil

20 POLICIES

Nil

21 PRÉCIS OF CORRESPONDENCE**21.1 REGIONAL CONNECTIVITY PROGRAM - APPLICATIONS NOW OPEN**

File Number: G4.1-T2.3
Author: Kai Howard-Oakman, Executive Assistant
Authoriser: Ross Earl, General Manager
Attachments: Nil

Current Situation

Advice has been received from Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government and Federal Member for Parkes that the Australian Government has committed up to \$53 million to a new Regional Connectivity Program (the Program) to improve access to and participation in the digital economy in regional, rural and remote Australia. The Program will provide targeted, place-based investment in telecommunications infrastructure projects which facilitate economic and social opportunities in communities that are not classified as in a Major Urban area and that are outside the existing NBN fixed-line footprint.

Applications are due by 5:00pm, AEDT on 20 October 2020.

Recommendation

- 1. That Council authorises the General Manager to negotiate with a telecommunications group which has knowledge of rural and remote internet infrastructure to ascertain the areas of priority of the Bourke Shire Council region.**
- 2. That Council agrees to submit a joint application to the Regional Connectivity Program pending the requirements of the program can be met.**

21.2 * A SPECIAL LOCAL ROADS & TRANSPORT CONGRESS - 16 - 18 NOVEMBER 2020**

File Number: S1.1
Author: Kai Howard-Oakman, Executive Assistant
Authoriser: Ross Earl, General Manager
Attachments: 1. Special Local Roads & Transport Congress 16 - 18 November 2020.pdf

Background

The Mayor, Manager Roads and one (1) other Councillor historically attend the Local Roads and Transport Congress.

Current Situation

Due to the cancellation of the ALGA National General Assembly for Local Government a Special Local Roads and Transport Congress has been expanded to be held over two and a half days.

Financial Implications

The cost of attendance at the Congress is included in the 2020/2021 Operational Plan.

Recommendation

That should the Special Local Roads and Transport Congress go ahead, that Council be represented in Wagga Wagga during 16-18 November 2020.



15 July 2020

Bourke Shire Council
PO Box 21
BOURKE NSW 2840

File No:	
Doc No:	
ACK:	<input type="checkbox"/> SPEED ME!
TASK:	
AUG 2020	
MAYOR:	<input checked="" type="checkbox"/>
COUNCIL:	<input type="checkbox"/>
GA:	<input checked="" type="checkbox"/>
LIBRARY:	<input type="checkbox"/>
MCS:	<input checked="" type="checkbox"/>
RAFLS:	<input type="checkbox"/>
MT&D:	<input type="checkbox"/>
ROSEC:	<input type="checkbox"/>
MEV:	<input type="checkbox"/>
FR:	<input type="checkbox"/>
MPS:	<input checked="" type="checkbox"/>
IT:	<input type="checkbox"/>
MW:	<input type="checkbox"/>
DEPOT:	<input type="checkbox"/>
OTHER:	

Dear Mayors, Councillors and CEO's

In November each year the Australian Local Government Association (ALGA) convenes its National Local Roads and Transport Congress. This year ALGA has decided that the Congress will be expanded to include natural disaster and pandemic impacts, recovery and resilience as well our usual focus on roads and transport.

The 2020 Special Local Roads and Transport Congress - Roads, Regions and Resilience will be held in Wagga Wagga on 16-18 November.

The Special Congress will focus on the transport challenges facing Local Government, but given that so many councils have been impacted by drought, bushfires, as well as COVID-19 pandemic over the past year, the Congress is also being designed to explore the significant impact of these events on Local Governments, how they have responded and what support/advice can be provided to Councils to increase resilience and recovery.

The Deputy Prime Minister, The Hon Michael McCormack MP, the Leader of the Opposition, The Hon Anthony Albanese MP and Minister for Regional Health, Regional Communications and Local Government, The Hon Mark Coulton, have been invited to address the Congress. The Congress provides not only an opportunity to learn from the very best, but also a platform for Local Government to stand up and be heard by Federal Government.

Registrations are now open with limited spots available. A waiting list will be established and as more spaces become available, further registrations will be released. As per our normal terms and conditions, if the event is cancelled a full refund will be provided.

ALGA looks forward to welcoming you to the Special Congress!

Yours sincerely

Adrian Beresford-Wylie
Chief Executive



ROADS, REGIONS, RESILIENCE

A Special Local Roads & Transport Congress

WAGGA WAGGA • NOVEMBER 16 - 18 2020



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

ROADS, REGIONS, RESILIENCE

A Special Local Roads & Transport Congress

Over the past 12 months, Australia has been impacted by widespread drought, devastating bushfires, and the deadly Covid-19 pandemic.

In the midst of these catastrophes, ALGA was forced to cancel its annual National General Assembly for Local Government – the premier forum for the tier of government that is closest to the Australian community.

With few opportunities left in 2020 for the Local Government sector to connect on a national level, ALGA has expanded its National Local Roads and Transport Congress to encompass the issues everyone's talking about: natural disaster impacts, recovery and resilience, and the coronavirus pandemic.

The format has been extended to two and a half days to give delegates the opportunity to examine the issues impacting on Local Government and to work together to identify solutions that support all our communities while building their resilience.

PRELIMINARY PROGRAM

MONDAY 16 NOVEMBER 2020

9.30am	OPENING CEREMONY Welcome to Country Welcome to Wagga Wagga
9.50am	ALGA PRESIDENT OPENING ADDRESS
10.30am	Deputy Prime Minister Address (invited) The Hon Michael McCormack MP
10.40am	MORNING TEA
11.00am	Natural Disaster Impact on Infrastructure, Transport and Roads
11.45am	Councils Showcasing Infrastructure and Roads Recovery Projects
12.30pm	LUNCH
1.30pm	Learning from Natural Disaster and Pandemic Responses
2.15pm	PANEL: Deep Dive into Council Responses to Natural Disasters and Pandemics
3.00pm	AFTERNOON TEA
3.30pm	The Hidden Costs of Disasters
4.15pm	Change the Story of Violence Against Women in your Community: Launch of the Prevention Toolkit for Local Government Patty Kinnersly, Chief Executive Officer, Our Watch
5.00pm	Close of Day One
5.00pm	WELCOME RECEPTION & EXHIBITION OPENING

REGISTER NOW!
specialroadscongress.com.au

TUESDAY 17 NOVEMBER 2020

9.00am	KEYNOTE ADDRESS: Engaging your Community Through Times of Crisis Dr Neryl East, Media, Communications, Reputation and Credibility Expert
9.45am	Panel: Responding Under Fire: Shared Reflections on Engaging your Community During an Emergency Facilitated by Dr Neryl East
11.00am	MORNING TEA
11.30am	Is Australia Still the "Lucky" Country? Regional Challenges and Opportunities (invited) Nicki Hutley, Partner, Deloitte Access Economics
12.15pm	Transport During a Pandemic
1.00pm	LUNCH
2.00pm	CONCURRENT SESSIONS ▶ Regional Experiences ▶ Our Future Transport Challenges
3.30pm	AFTERNOON TEA
4.00pm	Leader of the Opposition Address (invited) The Hon Anthony Albanese MP
4.30pm	State of Australian Aviation
5.00pm	Close of Day Two
7.00pm	CONFERENCE DINNER

WEDNESDAY 18 NOVEMBER 2020

9.00am	The Future of Mobility in Local Government: Minimising the Risks and Capitalising on the Opportunities Daniel Hilson, CEO of Evenergi and Chair of Charge Together Program
9.45am	Ministers Address (invited) The Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government
10.15am	MORNING TEA
10.45am	Dealing with Disasters
11.45am	New Ways of Doing Things
12.30pm	ALGA PRESIDENT CLOSING ADDRESS

21.3 * REQUEST FOR SPONSORSHIP - 2CUZFM**

File Number: D5.2-
Author: Kai Howard-Oakman, Executive Assistant
Authoriser: Ross Earl, General Manager
Attachments: 1. Sponsorship - 2CUZFM

Background

Council has for a number of years, provided sponsorship for 2CUZFM.

Current Situation

Council has received correspondence from Muda Aboriginal Corporation (Muda) thanking Council for past and present sponsorship.

Council currently sponsors 2CUZFM in the amount of \$2000 annually.

Financial Implications

The cost of sponsorship for 2CUZFM is included in the 2020/2021 Operational Plan.

Recommendation

For Council's consideration



Muda Aboriginal Corporation

1 Wangkumarra Drive
P.O. Box 363

BOURKE NSW 2840

www.2cuzfm.com.au

Phone: (02) 6872 1065 Fax: (02) 6872 1228

Email: muda@muda.com.au

ABN: 85 714 607 862

ICN 2462



7 AUG 2020

MAYOR	<input checked="" type="checkbox"/>	COUNCIL	
GM		LIBRARY	
A/CS		RATES	
MTAD		BOBOS	
MEV		HR	
MRS		IT	
		DEPOT	
OFFICE			Kai Roots

Mayor Barry Hollman
Bourke Shire Council
29 Mitchell Street
Bourke NSW 2840

4th August 2020

Dear Mr Mayor

Muda Aboriginal Corporation (Muda) would like to request that this letter of gratitude, for past and present sponsorship support, be tabled at the next Bourke Shire Council meeting.

Muda, among its varied activities, operates 2CUZ FM, an Indigenous community radio station, based in Bourke. We continually strive for greater financial sustainability. Over the last couple of years, we have through our own finances, installed a solar system that has reduced the external power needs, of our studios, by 66%. We have also been fortunate enough to gain communication grants to upgrade our tower and antennae on Mt Oxley, as well as, updating our complete radio infrastructure, here in Bourke and across the region.

Our broadcasting footprint covers a 100km radius of Bourke, Brewarrina, with broadcasting towers in Walgett, Lightning Ridge, Goodooga and Weilmoringle. However, we also have listeners from all over Australia and overseas through our broadcast streaming through the internet.

Many of the travelling public, moving through our region, tune into our broadcasts, often calling at the Bourke radio studios to take our free tours or simply emailing us, to let us know how much they enjoyed listening to our programmes, while they were in the region.

Muda is extremely grateful for the annual \$2,000 sponsorship Bourke Council has generously given for a number of years and would like to assure Council all material gets played in a professional and timely manner.

Your sponsorship insures the airing of Road Condition reports, Water announcements including restriction times, emergency shut downs and other activities e.g. new metering, Tip Closures, Seniors Week, Australia Day, Christmas and Easter weekend promotions and announcements, current Council COVID-19 announcements, Council Community meetings and Bourke Exhibition Centre promotions which often includes interviews. Our staff also put together a summary of the GMs Column which is broadcast weekly.

Although, the pricing package Council currently has is our Annual Package – 400 Spots plus Unlimited Interviews, in the last financial year 2CUZ FM has played 3,395 recorded spots. This does not include interviews or short notices put directly live to air.

Yandha Yandharla Kundangalyi

Bourke & Brewarrina 106.5 Walgett 102.7 Lightning Ridge 96.1 Weilmoringle 100.5 Goodooga 97.7

As a Community Radio Station 2CUZ FM is happy to continue to broadcast all material that Bourke Shire Council requires, regardless of volume, due to the nature and the assistance it provides to both Council and the community, across our region.

2CUZ FM would like to reiterate that the standing offer to include, regular or adhoc interviews by the GM, yourself or other Councillors, continues to stand. We realise that many people are busy, with little spare time, these interviews can be conducted by phone as 2CUZ FM currently does with many of its varied interviews.

2CUZ FM considers itself not only part of the regional community but by the very nature of its operations a service business to the wider community, with communication and information flow being one of its primary purposes.

Once again both Muda and 2CUZ FM are most grateful for Bourke Shire Council's continuous support and sponsorship and look forward to continuing to assist Council in promoting their activities and assisting in Council communicating effectively throughout the Bourke Shire and beyond.

Yours sincerely



Dot Martin
Chairperson

Yandha Yandharja Kundangaliyi
Bourke & Brewarrina 105.5 Walgett 102.7 Lightning Ridge 96.1 Wellinonagle 100.5 Goodooga 87.7

22 ACTIVITY REPORTS

22.1 ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS COMPLETED

File Number: E7.1
Author: Mark Riley, Acting Manager of Operations & Projects
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

The following information outlines works completed from the 13th July to 14th of August 2020 inclusive.

Current Situation

Road Works - Chris Morrall – Roads Supervisor	
1. NORTH SECTOR – Denis Tiffen, Team Leader	
Location	Work Carried Out
RLR 1 Dunsandle Road	Grading completed
RLR 2 Wilganea Road	Grading completed
RLR 3 Twin Rivers Road	Grading completed
RLR 31 Eureka Plains Road	Hit and miss grading completed
MR 405 Wanaaring Road	Bitumen construction Goonery to Barakee commenced
RLR 12 Multagoona Road	Grading commenced
2. SOUTH SECTOR - John Reed, Team Leader	
Location	Work Carried Out
MR 68 South Louth Road	Grading commenced contractor
RLR 10 Tooralé Road	Grading commenced contractor
MR 405 Wanaaring Road	Bitumen construction Goonery to Barakee commenced
3. TRANSPORT SECTOR - Simon Wielinga, Team Leader	
MR 405 Wanaaring Road	Bitumen construction Goonery to Barakee commenced
4 BITUMEN SECTOR - John Bartley, Team Leader	
Bourke Township	Patching undertaken
Regional Roads	Patching undertaken
State Highways	Patching undertaken
State Highways	Slashing commenced

WORKSHOP – Brett Johnson, Acting Team Leader Tradesman Plant Mechanic			
Plant no	Rego	Description	Work Carried Out
3	CJ15TZ	2017 Toyota Prado	Carried out service
16	DYU31F	Toyota Prado	Carried out service, rotated tyres and repaired light
32	BM39KN	2011 Isuzu 1500FX	Carried out service
33	YII01E	Mazda BT 50	Carried out service, repaired UHF
40	CP40FZ	Isuzu NHNQR	Carried out service and conducted burn off for the DPF
44	YII29T	Mazda BT 50	Carried out service
50	CL16AC	Kenworth	Carried out service, replaced R/D and TX valve, removed evaporator and cleaned, repaired brake light wiring
51	YII29U	Mazda BT 50	Carried out service
57	CC20UJ	2015 Hino	Carried out service, replaced the sweeper box spring , repaired air leak
68	X50802	2011 Moore	Replaced bearings and greased, repair wiring and organised a new tarp system
69	X50803	2011 Moore	Replaced bearings and guide wires, repaired guard rail
76	P95814	2004 Moore Roadtrain	Found tarp to be broken, organised a new tarp to be installed
92	CA52JC	2014 Western Star	Yellow engine light was illuminated while filling up with water, cleared fault
93	CE53WX	2015 Colorado	Carried out service
97	NX91BW	2003 Isuzu 900	Found and replaced pinched O-ring
101	CS92FY	Ford Ranger	Carried out service
102	CV32LT	2019 Ford Ranger	Changed filters
105	BM9560	1986 Box Trailer	Removed and fitted a new jockey wheel
106	63722D	Toro Mower	Fitted new mower belt and greased pulleys, replaced broken belt on mower deck and greased
107	73635C	2009 Kubota	Replaced damaged parts and completed service
111	TB60BR	Dolly	Replaced oil in the wheel bearing and ordered covers
132	CP22CH	John Deere	Removed and replaced hydraulic hose and installed hose guard
137	DH91BK	2010 Volvo G940	Repaired coolant hose and replaced coolant
139	BR53WH	Caterpillar 950h	Replaced aerial
141	XN84BW	John Deere	Carried out service
149	TC61FS	Moore Triaxle Tipper	Greased bearings and repaired damaged wire
170	CS74ZN	Holden Colorado	Carried out service
172	CL38AZ	Isuzu 1500 FX	Carried out service
173	YGU33N	Mazda BT 50	Carried out service
238	TB84BR	2016 Moore Tri axle tanker	Braced and welded cracks, removed and replaced all brake shoes

239	TB85BR	2016 Moore Tri axle tanker	Cleaned breather on the air valve, ordered new breather
260	CT96NB	Mazda BT 50	Carried out service
265	XN36KU	Isuzu NQR 450	Carried out service
410	CS64ZN	Holden Colorado	Carried out service
505	XN17EH	Kenworth	Carried out service, replaced bolts to the right side mud guard
510	73228D	Smooth Drum Roller	Replaced faulty started motor and repaired wiring, removed and replaced evaporator
511	73229D	Smooth Drum Roller	Carried out service, removed broken bolts, cleaned drum, removed and adjusted scrapers
512	73225D	Multi Tyre Roller	Carried out service
522	YN05BI	Moore's Dolly	Replaced bolts and mud flaps
Staff Training		Nil	

Recommendation

That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Monday, 24 August 2020.

22.2 PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER - ENGINEERING SERVICES ACTIVITY REPORT

File Number: E7.1
Author: Peter Brown, Manager Works
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

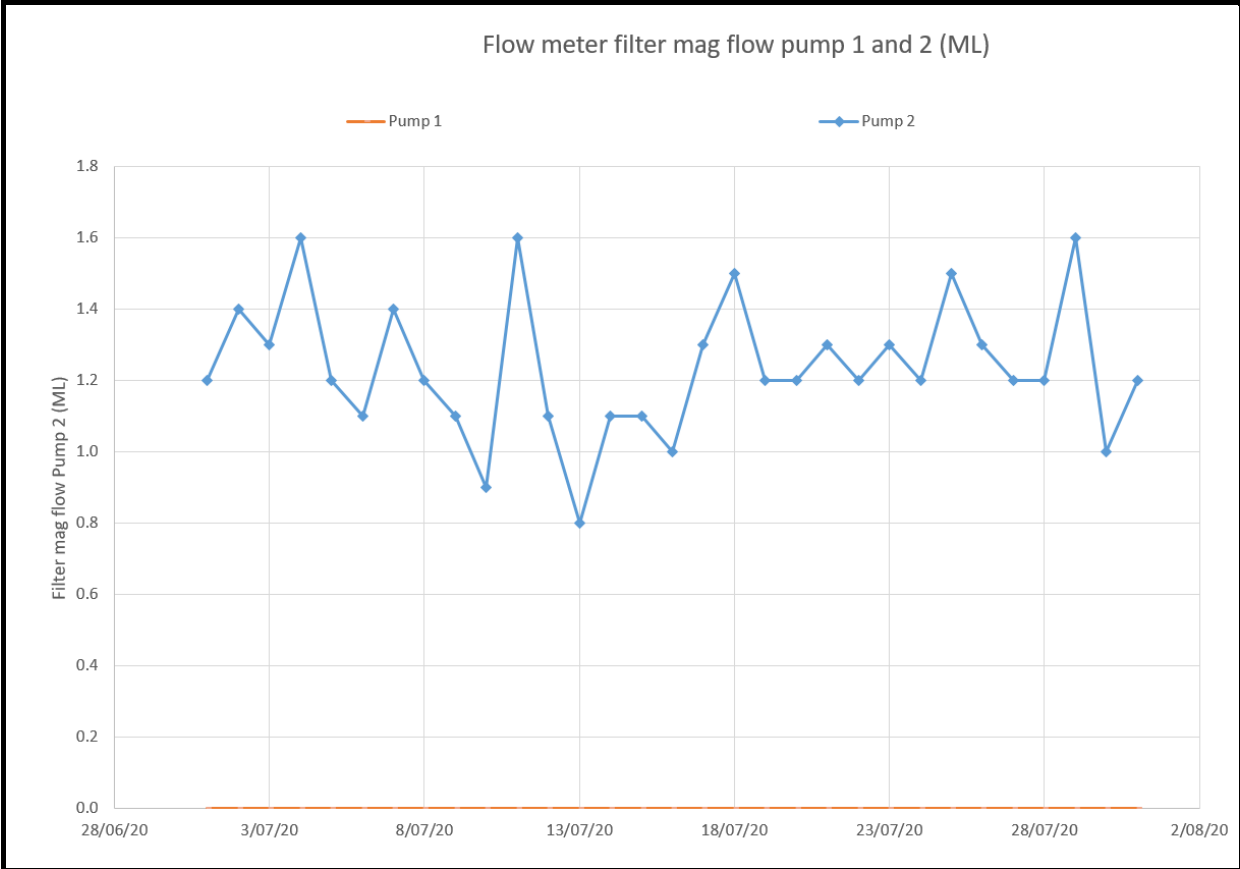
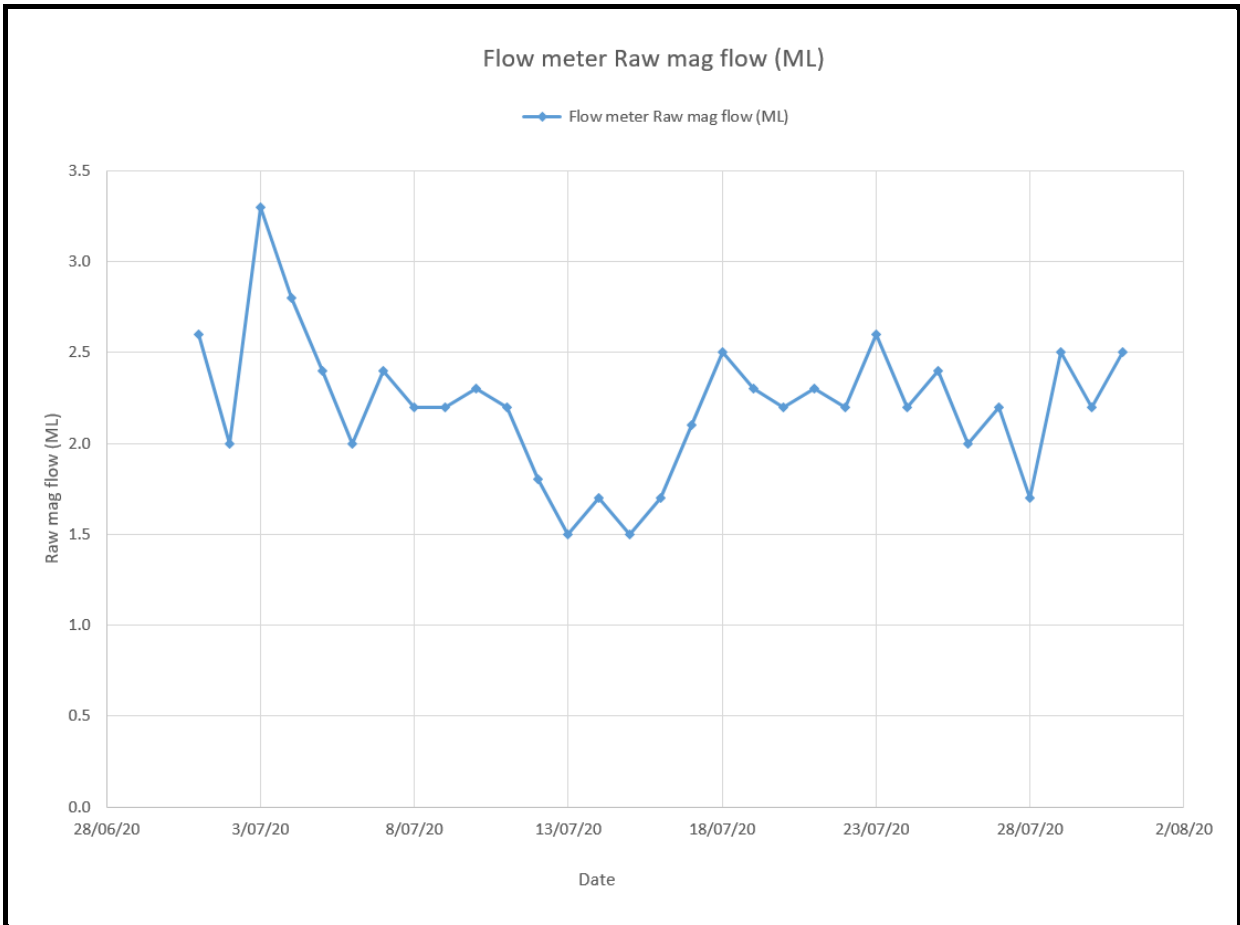
The following information outlines works completed from the 9/7/2020-6/8/2020 inclusive.

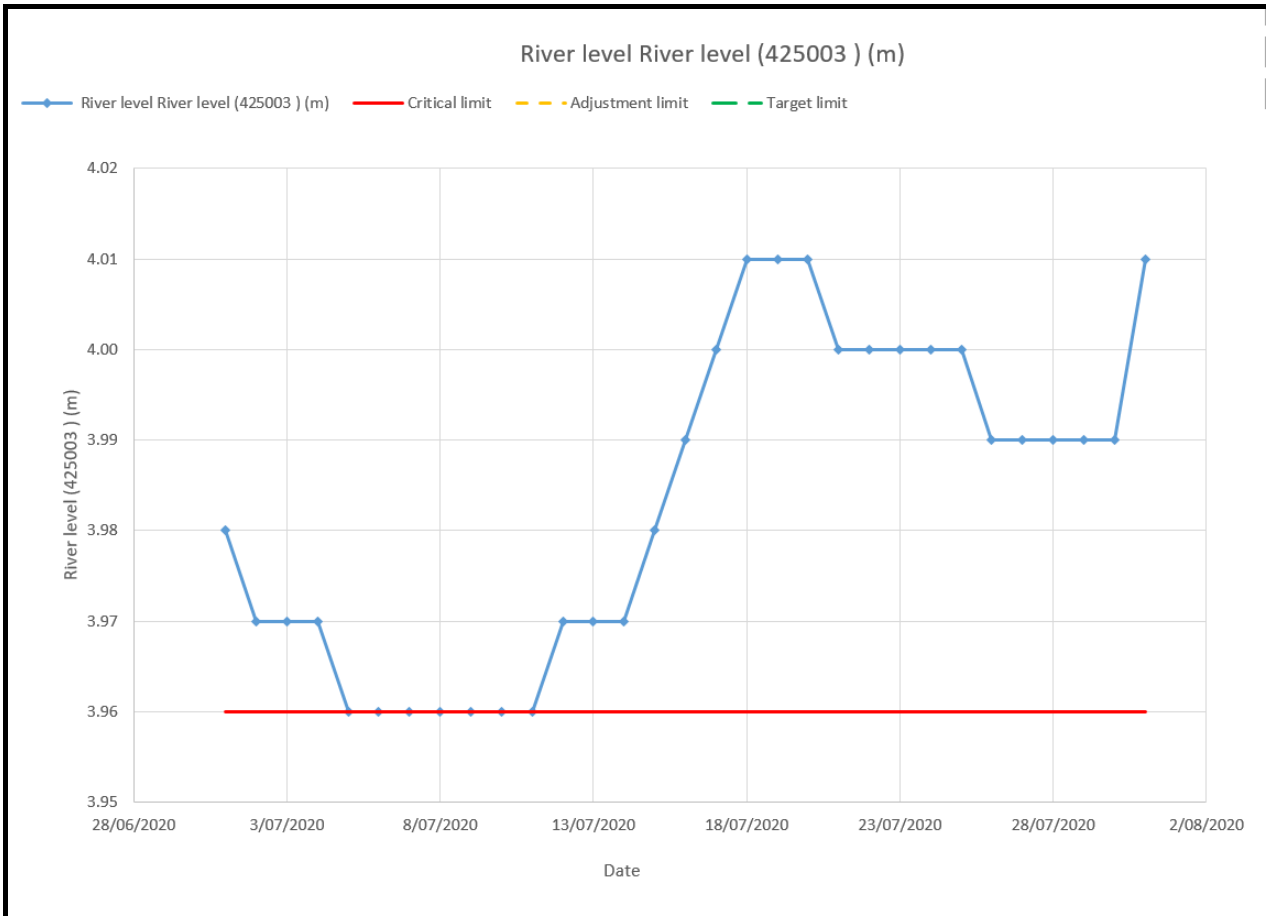
Current Situation

PARKS & GARDENS – Terry Rankmore, Team Leader	
Location	Work Carried Out
General	All parks & sporting grounds gardens, regular mowing & maintenance carried out Sporting grounds facilities cleaned & maintained Public toilets cleaned & maintained Clean facilities General graffiti removal carried out on Council facilities
Small Plant	Maintenance & service carried out on all ground plant
Works Requests	Actioned & ongoing
1 Tudor St	General maintenance carried out
Wharf	General maintenance carried out
Renshaw Complex	Grounds, facilities cleaned & maintained
Coolican Oval	General maintenance carried out Prepare grounds for junior rugby union training
Davidson Oval	General maintenance carried out Prepare grounds for senior rugby union training Prepare grounds for sense rugby Prepare grounds for Creative Community Concepts-games day
Central Park	Skate Park - regular mowing & maintenance carried out, graffiti removal Prepare grounds for RFDS dental event
Darling Park	Prepare for 2 nd COVID-19 drive through
Villages	Mow grounds, facilities cleaned & maintained
Airport	Mowed airstrip
Staff Training	Nil

TOWN SERVICES – Troy Hayman, Team Leader	
Location	Work Carried Out
Work Requests	Actioned & ongoing
	Weekly sand footpaths
	Weekly Town mowing
	Main Street Project, daily jobs
	Relieving Staff in garbage truck
	Daily-Main street programme
	Daily airport Inspections
	Monthly airport inspections Louth & Wanaaring
	Mowing North Bourke and Tancred Drive
Cemetery	Prepare graves:- 24/7/2020-4/8/2020
Rest Areas	Weekly rubbish removal & cleaning along road side
	Mow & poison Sydney Road rest areas
Staff Training	Nil
General	Water new trees in Sturt and Mitchell Streets
	Remove rubbish from Exhibition Centre
	Clean up 14 Glen Street
	Deliver timber and pavers to Exhibition Centre
	Begin pruning town trees along footpaths for clearance for the street sweeper and garbage trucks
	Poisoning of drains/blisters/gutter edges and corners
	Take movie screen up to PCYC
	Remove cars from Adelaide and Tudor Streets
	Whipper snip levee bank and footpaths up to water works
	Dug out gutter for new concrete in Wilson Street
	Cold mix gutter edges in Short Street
	Remove dead tree from North Bourke Oval
	Clean up rubbish and put gravel at depot
	Fix lane gate behind CDEP depot in Anson Street
	Mulch main street
	Erect new signage at the entrance of the Exhibition Centre
	Take new bins out to DJB Fabrications
	Set up signs for drive through COVID-19 testing
	Clean up around wash bay
	Pressure washed main street
	Clean out wash bay depot
	Erect new signs for new walkway on levee bank
	Begin to pull down frame at Percy Hobson Park
Crane- new camera pole BP corner	
Remove stolen vehicle from Renshaw Complex	

Water & Wastewater – Shane Hopley, Team Leader	
Water Supply Planned Maintenance for July 2020	
2 Coomah Street	Sewer Choke
18 Warraweena Street	Sewer Choke
70 Mertin Street	Sewer Choke
12 Richard Street	Sewer Choke
3 Mitchell Street	2x Sewer Choke
30 Mitchell Street	3x Sewer Choke
40 Darling Street	Sewer Choke
27 Anson Street	Sewer Choke
80 Short Street	Sewer Choke
5 Hume Place	Sewer Choke
12 Mitchell Street	Sewer Choke
16A Warraweena Street	Sewer Choke
3 Culgoa Street	Sewer Choke
75 Darling Street	Sewer Choke
19 Mitchell Street	Sewer Choke
21 Adelaide Street	Sewer Choke
9 Denman Street	Sewer Choke
68 Hope Street	Sewer choke dug main and cleared choke
Byrock	Install new water service
Airport	Repair leaking toilet
Jandra	Replace pressure pump
4 Darling Street	Low raw water pressure, blow out and clear
27 Mitchell Street	Repair leaking hot water tap
12 Darling Street	Repair leak under sink
Polygonum Swamp Road	Dug 50mm Filtered water main and repaired main
38 Bogan Street, North Bourke	Repair leaking 25mm raw water service
81 Darling Street	Dug 100mm raw water main and repaired main
Richard Street	Dug 100mm raw water main and repaired main
25 Anson Street	Dug 100mm raw water main and repaired main
62 Hope Street	Dug 100mm raw water main and repaired main
6 Glen Street	Dug 100mm raw water main and repaired main
49 Short Street	Dug 100mm raw water main and repaired main
24 Mertin Street	Repair leaking 20mm filtered water service
10 Oxley Street	Repair leaking 20mm filtered water service
18 Mertin Street	Dug 50mm filtered water main and repaired 20mm service
11 Hope Street	Dug 50mm filtered water main and repaired 20mm service
54 Hope Street	Dug 100mm filtered water main and repaired 20mm service
Cottage 11, Alice Edwards Village	Dug 100mm raw water main and repaired 25mm service
10 Green Street	Dug 100mm raw water main and repaired 25mm service
38 Green Street	Dug 100mm raw water main and repaired 25mm service
31 Richard Street	Dug 100mm raw water main and repaired 25mm service
77 Oxley Street	Dug 150mm filtered water main and repaired 20mm service
63 Oxley Street	Dug 150mm filtered water main and repaired 20mm service
Depot	Connect filtered water to town services shed
Alice Edwards Village	Routine Maintenance & Monitoring as per ACP Management Plan
Clara Hart Village	Routine Maintenance & Monitoring as per ACP Management Plan





Month	Raw water ML	Filter magflow pump 1 ML	Filter magflow pump 2 ML	Plant magflow kL	Raw Water North Bourke KL	Filter Water North Bourke KL	Raw-filtered ML	Filtered-Plant ML
January 2020	132	-	51	46,898	38,021	2,135	82	4
February 2020	108	-	40	35,254	6,213	2,230	68	4
March 2020	102	-	44	45,633	5,210	2,102	58	2
April 2020	77	-	35	36,731	3,532	2,365	42	2
May 2020	47	-	35	4,500	3,654	2,250	12	31
June 2020	69	-	38	28,375	3,201	2,623	31	10
May 2020	47	-	35	4,500	3,654	2,250	12	31
June 2020	69	-	38	28,375	3,201	2,623	31	10
July 2020	69	-	38	35,222	9,365	2,125	30	3

Process	Parameter	Minimum	Average	Maximum	Lower critical lim	Upper critical lim	No. of samples
Rainfall	Rainfall	-	-	-			31
River level	River level (425003)	3.96	3.98	4.01	3.9		31
Raw Water	pH	8.20	8.84	9.50			31
Raw Water	turbidity	220.00	245.68	286.00			31
Raw Water	Conductivity	166.00	180.23	204.00			31
Filtered water	pH	7.10	8.36	8.90	6.5	8.5	31
Filtered water	Conductivity	170.00	183.74	203.00			31
Clarifier	Turbidity	0.50	0.67	0.90	0.0	4.0	31
Tower	Free Cl2	1.50	2.57	3.40	0.2	5.0	31
Clarifier	Free Cl2	2.10	3.25	3.70	0.2	5.0	31
Filtered water	Free Cl2	2.40	3.14	3.70	1.0	5.0	31
Filtered water	Turbidity	0.20	0.25	0.40	0.0	1.2	31
Bourke High School	Free chlorine	1.00	1.40	2.10	0.2	4.0	3
Bourke High School	pH	7.10	7.20	7.30	6.5	8.5	3
Bourke High School	Turbidity	0.15	0.18	0.20	0.0	0.5	3
WTP	Free chlorine	2.30	2.30	2.30	0.2	4.0	1
WTP	pH	7.30	7.30	7.30	6.5	8.5	1
WTP	Turbidity	0.15	0.15	0.15	0.0	0.5	1
Bourke Primary Sch	Free chlorine	1.00	1.00	1.00	0.2	4.0	1
Bourke Primary Sch	pH	7.40	7.40	7.40	6.5	8.5	1
Bourke Primary Sch	Turbidity	0.19	0.19	0.19	0.0	0.5	1
Meadows Rd	Free chlorine	1.30	1.30	1.30	0.2	4.0	1
Meadows Rd	pH	7.30	7.30	7.30	6.5	8.5	1
Meadows Rd	Turbidity	0.15	0.15	0.15	0.0	0.5	1
Mitchell St	Free chlorine	-	#DIV/0!	-	0.2	4.0	0
Mitchell St	pH	-	#DIV/0!	-	6.5	8.5	0
Mitchell St	Turbidity	-	#DIV/0!	-	0.0	0.5	0
Alice Edwards Villa	Free chlorine	1.90	1.90	1.90	0.2	4.0	1
Alice Edwards Villa	pH	7.30	7.30	7.30	6.5	8.5	1
Alice Edwards Villa	Turbidity	0.17	0.17	0.17	0.0	0.5	1
Kidman Camp	Free chlorine	0.90	0.90	0.90	0.2	4.0	1
Kidman Camp	pH	7.40	7.40	7.40	6.5	8.5	1
Kidman Camp	Turbidity	0.25	0.25	0.25	0.0	0.5	1

No	CCP	Monitoring Parameter	Location	Frequency	Target	Adjustment Level	Critical limit
CCP 1	Clarification	Turbidity	After clarifier	Daily grab sample	<1 NTU	4 NTU	>4 NTU
CCP 2 *	Filtration	Turbidity	After Filters	Daily grab sample	0.4 NTU	1 NTU	>1.2 NTU
CCP 3	Disinfection	Chlorine residual	Filtered Water	Daily grab sample	1.5-2 mg/L	<1.5 mg/L for more than 3 days	<0.5 mg/L or > 5 mg/L
CCP 4	Fluoridation	Fluoride concentration	After filters	Daily grab sample	1.0 mg/L	<0.95 mg/L	<0.9 mg/L for > 72 hours
						or	Or
						>1.0 mg/L	>1.5 mg/L
CCP 5	Reservoirs	Reservoir Integrity	Reservoirs	Weekly	Integrity maintained	Signs of integrity breach	Unable to rectify breaches

Treatment Plant EPA Licence Compliance

Record of Effluent Analysis

Pollutant	Unit Of Measure	Licence 100 Percentile Concentration Limit	April 2020 Test	May 2020 Test	Jun 2020 Test	Jul 2020 Test	Aug 2020 Test
Oil & Grease	mg/L	10	<2	<2	3	3	
pH		6.5-8.5	9.22	9.09	9.26	8.57	
Nitrogen (total)	mg/L	15	11.3	12.1	8.9	8.5	
Phosphorus (total)	mg/L	10	2.58	2.59	2.91	2.8	
Total suspended solids	mg/L	20	90	118	82	23	
Biochemical oxygen demand	mg/L	15	24	23	32	13	

Council notes the provisions of clause L2.5 (a) and (b) of its licence conditions of a chlorophyll exemption due algal growth, which also exempts the above exceedances.

- Rainfall in Bourke for July 2020 was 3.8 mm
- Hottest day for July 2020 was 25.9 degrees
- Coldest day for July 2020 15 degrees

Recommendation

That Council note the information in the Engineering Services Department Activity Reports as presented to Council on Monday, 24 August 2020.

22.3 ENVIRONMENTAL SERVICES DEPARTMENT - ACTIVITY REPORT

File Number: D3.1-A11.1-A8.1
Author: Dwayne Willoughby, Manager Environmental Services
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Activity Report from the Department of Environmental Services, which includes Developments Approved, Building Services and Animal Control for the month of July 2020.

Current Situation

Development Approvals			
Delegated Authority or Council	Consent Type & Consent No.	Subject Land	Nature of Development
Nil			
Total value of Approved works for July 2020			= \$0
No. of Development Application Approvals for July 2020			= 0
No. of Complying Development Application Approvals for July 2020			= 0

Building Services Report	
Location	Work Carried Out
Work Requests	Actioned and ongoing
Risk Assessments	Completed with every job
Training	Nil
Office	Monthly check and test Emergency Generator
Airport	Crack sealing – Runway Replace Lights - ARO Hut
Contractors	Electrical Works to Buildings and for Water and Waste Water Electrical Works at BOBC
Buildings	Install security Lights – Airport house Depot Clean Up Commenced Renovations – 14 Glen Street Commenced Renovations – Pool Filtration Building Ordered Radio Hut – Mt Oxley Works Progressing – Community Centre Library Shutters Fitted – Electrical To Follow
Grants	Order BOBC Shed Commenced Toilets - Renshaw Play Equipment Installed - Wanaaring

Animal Control		
Bourke Shire Council Holding Facility	Dogs	Cats
Animals in Pound beginning of Month	4	0
Seized	4	2
Surrendered	1	0
Dumped	0	0
Total	9	2
Euthanased	1	2
Returned to Owner	0	0
Released from Pound	3	0
Re-housed	5	0
Died in Pound	0	0
Escaped from Pound	0	0
Animals Remaining at End of Month	0	0
Total	9	2
Stock Rested in Stock Yards	253	

- Attended complaints in regards to dogs causing trouble to the general public
- Ongoing patrols of the township enforcing the Companion Animal Act
- Water sampling for the township, villages and Darling River
- Patrols of Councils Reserves

Recommendation

That the information in the Environmental Services Activity Report as presented to Council on Monday, 24th August 2020 be received and noted.

22.4 GENERAL MANAGER'S ACTIVITY REPORT

File Number: G1.1
Author: Ross Earl, General Manager
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

Activities carried out by the General Manager since the last Ordinary Meeting of Council held on Monday, 2020.

30 JULY 2020**BOURKE DRIVE THROUGH TESTING CLINIC FOR COVID-19**

The Western NSW Local Area Health District will be conducting a drive-through testing Clinic for COVID-19 from 10.00 am to 2.00pm today, Thursday, 30th July 2020.

The drive-through clinic will be held in Mitchell Street, opposite the Men's Shed.

TOURISM NUMBERS AND ACTIVITY WITH THE SHIRE

Jandra Paddleboat commenced on the 29th June running twice daily from Monday to Saturday – 9.00am and 2.30pm and again on Sunday with a two (2)-hour cruise from 2.00pm. With the restrictions in place due to the need to comply with the Public Health Order, the numbers on the boat has had to be restricted.

These restrictions have meant reduced numbers than otherwise may have been achieved.

For the first 20 days of this month, the Jandra has run 37 trips of which 14 of these were 100% occupancy, eight (8) at 80% occupancy and three (3) at 60% occupancy.

The Crossley Engine is also working and commenced operations on the 29 June and is operating five (5) days a week, Monday to Friday from 12.00pm. The repair work on the Crossley has been undertaken with the Crossley now operating with both pistons.

Aboriginal Cultural Walks has also recommenced. The 45-minute walk delves into the authentic history of Aboriginal peoples' heritage around Bourke.

Those people undertaking the Cultural Walks discover how Aboriginal people used valuable resources such as seasonal flora and fauna and how a personal connection is formed with the land.

Once again there has been positive reviews from those who have had the opportunity to undertake the walk.

Visitors numbers remain strong with many people who would have gone overseas or to other states within Australia have had their travel restricted and many are taking the opportunity to tour out west and see the numerous attractions that this part of the state has to offer.

MEETING OF THE FAR NORTH WEST JOINT ORGANISATION OF COUNCILS

The Far North West Joint Organisation of Councils (FNWJO), comprising the Councils of Bourke, Cobar and Walgett, met on Wednesday, 29 July 2020 via audio visual link.

Amongst the issues discussed at the meeting were the following:-

1. A review of the organisations Budget;
2. The allocation of funding made available by the Office of Local Government to a Tourism Marketing Strategy;
3. The potential for a Cross Border Tourism Strategy;
4. The Regional Roads Classification Review;
5. The Contaminated Lands Project; and
6. An update from a recent forum involving between Chairs of all the JO's in NSW.
7. The FNWJO has a number of projects which are being undertaken on behalf of members, with the level of support and cooperation amongst members being acknowledged.

LOCAL GOVERNMENT WEEK 2020

During the period 3 - 9 August 2020, Local Government areas across NSW will celebrate the provision of Council services that extended beyond roads, rates and rubbish. These extended services include public libraries, childcare centres, sporting facilities, arts and culture, building and development, and much more.

The fact that Local Government provides such a vast range of services is undoubtedly the reason for the 2020 theme being COUNCILS DO.

Did you know?

- Local Government in NSW employs more than 55,000 people;
- Local Government in NSW looks after more than \$136 billion of community assets;
- Local Government in NSW spends more than \$1.9 billion each year on caring for the environment, including recycling and waste management, stormwater management and preserving and protecting native flora and fauna;
- NSW has 450 Council-run libraries that attract more than 34.8 million visits each year;
- Local Government in NSW is responsible for approximately 90% of the state's roads and bridges;
- NSW Councils manage an estimated 3.5 million tonnes of waste each year; and,
- NSW Councils own and manage more than 600 museums, galleries, theatres and art centres.

The level of services provided by each Council varies dependant on the location, size and demographics of the individual Council area and often Councils are required to fill voids when other tiers of Government or the private sector are unable to provide services.

Bourke Shire Council, for example, provides a number of non-traditional services including the provision of Doctors Surgery and Housing, the availability of a dental surgery, a heavy vehicle inspection station, an agency of Service New South Wales, the PV Jandra and other tourism facilities.

In providing services across the Shire, Council very much relies on the assistance of community volunteers to ensure maintenance costs are reduced and that the range of services is able to be continued.

The strong relationship between Council and the community has seen a range of service's able to be provided to improve the social amenity that would otherwise been unaffordable.

This year throughout Local Government Week, LGNSW will be using its own communications channels to share examples of best-practice Council projects from entries in this year's Local Government Week Awards.

Winners will be announced during a special online ceremony at 1.00pm on Thursday, 6 August.

Bourke Shire has entries in two (2) divisions, and we await the outcome of these entries.

VISIT BY THE HON.MARK COULTON, MP

Always keen to be able to catch up with Councils within his electorate, the Member for Parkes, the Hon. Mark Coulton, MP visited Bourke on Monday, 20 July 2020 and meet with Bourke Council representatives.

Council had the opportunity to raise a number of issues with Mark and also thank him for his advocacy on behalf of Council on a number of issues including the improvement to mobile phone services within the area.

Mark has a number of Ministerial Portfolios as well as servicing by far the biggest electorate in New South Wales. Regardless, and to his credit, he still manages to maintain a high level of personal contact across his electorate and is readily contactable when needed and responds quickly to issues raised with him for advice and/or assistance.

Mark's Ministerial Portfolios includes Minister for Regional Health, Regional Communications and Local Government all of which are no doubt very busy portfolios which take in the whole of Australia. His ability to find time to visit Bourke on a regular basis is very much appreciated.

VISIT BY STAFF OF THE NEW DEPARTMENT OF REGIONAL NEW SOUTH WALES

The Secretary of the new Department for Regional New South Wales, Gary Barnes, was to visit Bourke last Tuesday to introduce the new Department to Council and provide information as to the role of the new Department.

Unfortunately, Gary was called away to another engagement at the last moment, but the balance of the group was still able to visit and explain the role of the new Department.

The group included Michael Wright, Deputy Secretary, Department of Minerals, Exploration and Geoscience, Stewart McLaughlin from the same Department along with Ashley Albury, Director Regional Coordination for Central West and Far West. Ashley has been in this role for some time now and has provided an excellent link for Council with the various Departments of the NSW Government.

The Department, as the name suggests, will focus on the regions but importantly will have the bulk of their staff regionally based with offices to be established in Dubbo, Armidale, Coffs Harbour and Queanbeyan.

Previously the regional functions were located within the Department of Planning Environment and Industry.

The new Regional Department also includes Public Works Advisory and Local Lands Services and will have approximately 4500 staff. All of those staff, with the exception of some 100, will be regionally based.

LIBRARY NEWS

While services at the library are still restricted, there are many resources available for the community.

You may not be aware that the library contains much more than just books. It also has a big range of audio-visual materials. DVD's are available for loan for adults and kids, so if you are keen to binge watch Midsomer Murders or Downton Abbey, or all the Mad Max or Avengers movies, then the library is the place to go.

In addition, the library has a range of music CD's, audio books on CD and Play Away available for loan.

Staff are currently working on adding new content to the library website as physical library services continue to be restricted due to COVID-19.

The first online escape room for kids has recently been added. More escape rooms for both kids and adults will be added over the coming weeks, along with the addition of games such as trivia challenges.

The library is keen to hear what you think about the escape rooms, so give them a try and let the library know your opinion. Go to www.bourkelibrary.com.au to access the escape rooms, as well as all the fantastic online resources. You can also download the Bourke Public Library app, available on the App Store and Google Play. If you would like any more information contact the library on 0268722751 or bpl@bourkelibrary.com.au, and one of the friendly staff will be happy to help you.

ROADS UPDATE

Officers from Transport for New South Wales (TfNSW) were in Bourke last week to review work required to be undertaken on the State Highways in the Bourke Shire. Under the Road Maintenance Council Contracts (RMCC) programme, Council undertakes the maintenance of the State Highways in the Shire as a service provider to the State Government.

Council works closely with TfNSW to ensure that the highways are maintained in excellent condition and major works such as reseals and shoulder widening are undertaken as, and when, required.

Bourke Shire is contracted to maintain the following State Highways:-

State Highway 7 North	Bourke to the Queensland Border	136 kms (Mitchel Highway)
State Highway 7 South	Bourke towards Nyngan	83 kms (Mitchell Highway)
State Highway 421	Bourke to Cobar	81 kms (Kidman Way)
State Highway 29	Bourke to Brewarrina	56 kms (Kamilaroi Highway)

FLOW IN THE RIVER

It is good to see the flow in the river being maintained, and although only small, the flow is still welcome with a flowing river being of benefit to all.

I had earlier thought that we would see the re-introduction of water restrictions by now, however the flow in the Bogan River has gradually made its way into the Barwon Darling river system and although flowing over the weir at all times, the water flow has sometimes been not more than a trickle.

OUTBACK ARTS

The Outback Archies Annual Art Prize and Exhibition is a long-standing project delivered by Outback Arts, now in its tenth year! The Outback Archies grows in anticipation with each year, shining a light on the diverse and talented creatives in the region.

This year the opportunity for entries to be submitted from across regional New South Wales has been extended. Entries will be accepted from not only from the Outback Arts region of Bourke, Brewarrina, Bogan, Cobar, Coonamble, Warren and Walgett Shires but also Warrumbungle and Gilgandra Shires, Moree Plains, Narrabri and the West Darling Arts region of Broken Hill City, Central Darling Shire and Wentworth Shire.

Outback Arts have also added an additional category to include young artists, dubbed the Young Outback Archies Prize. Young people under the age of 15 years can now enter in their very own category.

A curated selection of artworks will be hitting the road in 2021, touring the Outback Arts region and beyond. This is a great opportunity for the entire region to see what the Archies is all about, showcasing the amazing artists we have in Regional NSW as well as inspiring others in the community

ONGOING RISKS OF COVID-19

I again urge all members of the community and businesses to do everything they can to ensure compliance with the new restrictions in respect of COVID-19. By ensuring compliance can only serve to reduce the risk of spreading the virus within our communities.

The large increase in cases in Melbourne and parts of Victoria are of considerable concern as are the outbreaks in Sydney. They clearly demonstrate just how quickly the virus can spread and the need for vigilance by all members of the community.

SEMINAR TO ASSIST IN IMPROVING THE ADMINISTRATION AND COORDINATION BETWEEN SPORTING GROUPS

Regional Coordinator - NSW Sport and Recreation, Mark Horton, has agreed to come to Bourke to facilitate a meeting of interested persons with a view to improving the three (3) items identified below with the support of the local community.

The three (3) items were among the priorities set following workshops conducted in 2017 regarding the improvement of sporting facilities and associated and ancillary facilities in Bourke.

The other priorities largely related to the improvement of facilities including the Bourke Pool. I am very pleased to say that all the all those priority areas have now been addressed with the exception of the following:-

1. Increased cooperation and coordination between sport groups;
2. Increased access to support structures, training and athlete development and volunteer training and recruitment. (This potentially includes volunteer recruitment/marketing program specifically targeting Bourke); and,
3. The pursuit of opportunities to seek cost savings through alternate sport participation models.

Mark has indicated that the Office of Sport is available to assist clubs and community groups pursue the above matters by facilitating discussions and identifying options to streamline club administration.

Interested parties wishing to attend the seminar to be held at the Back O' Bourke Conference Centre commencing at 6.30pm on Thursday, 30 July 2020 are requested to register by either calling the Council office on 6830 8000 or e-mailing David Perry at mce@bourke.nsw.gov.au For the purposes of catering and to ensure that the seminar is able to be conducted in accordance with COVID-19 restrictions and plans, registration is required.

USE OF COUNCIL FACILITIES

Anyone who wishes to utilise Council facilities should book with Councils Engineering Support Officer to ensure that the facilities are ready to use and there are no clashes of dates with other organisations. Simply call Council on phone 6830 8000 or email bourkeshire@bourke.nsw.gov.au

This particularly applies to those participating in regionally based competitions.

Those making bookings should ensure that they are aware of the need to ensure that all activities are conducted in a COVID-19 safe environment and that a COVID-19 Safety Plan has been developed. All requirements in relation to restrictions on numbers and social distancing are to be met including the one person per four (4) square metre guidelines.

Council staff can assist with the provision of signage and copies of the COVID-19 Safety Plan templates if required.

SHOWGROUND IMPROVEMENTS

Works have commenced at the Bourke Showground (JB Renshaw Sporting Complex) on the new ablution block. Council received funding through phase 1 of the NSW Showgrounds Stimulus Program to build a new ablution block, upgrade works to the men's and ladies showers and undertake the installation of an automatic irrigation system.

The new ablution block will see a vast improvement on the current facilities with accessible and ambulant access toilet facilities included as part of the upgrade.

Installation of the irrigation system will be starting shortly and once completed, a large part of the complex will be watered through an automatic sprinkler system. This will bring with it better watering efficiency to maintain the grounds and trees.

Council has lodged an application for projects to be funded in the State Government's Phase 2 Stimulus allocation and is currently awaiting the outcome of this application.

BOURKE CERAMIC CENTRE

Visiting ceramic artist, Nerida Barber of Narromine, conducted a workshop in Bourke last week. Nerida was very impressed with the new Ceramic Centre Building and the facilities that it also contains.

The facility is a result of some very hard work by members of the Bourke Arts Community incorporated and Council and of course the State Government which provided the funding to bring the facility to a reality.

LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

The Local Emergency Management Committee continues to meet on a fortnightly basis to discuss the rapidly changing situation with COVID-19 to both ensure that all members are briefed in regard the current situation and the safety of the community is safeguarded as best as possible.

Due to leave and other commitments there have been representatives involved on the LEMC on a temporary basis whilst undertaking acting roles and I would like to thank them for their contribution and the seamless way they fitted into the organisation and their preparedness to assist and actively contribute.

The LEMC has provided a strong level of communication amongst all agencies and has provided the opportunity for frank discussion and further allows for the dissemination of information from both the Regional and State Emergency Management Committees.

ACTION OF VANDALS

The recent mindless vandalism involving the destruction of plantings in the main street is hard to understand. Why people would seek to destroy the good work undertaken to make our town look good and enhance its appeal to both locals and visitors alike is hard to fathom. In undertaking the plantings, it is hoped that the processes have a positive impact on the economy and employment opportunities within the town which Council and other members of the community work so hard to achieve.

Vandalism comes at a significant cost to the community. Council unfortunately has to spend thousands of dollars each year to undertake remedial works as result of the mindless actions of vandals. Expenditure of these funds results in money being taken away from other projects that would benefit our community.

I urge residents to report acts of vandalism to either the Bourke Police (Ph: 6870 0899) or direct to Council (Ph: 6830 8000) so that it will hopefully result in those responsible being caught and punished.

AUGUST COUNCIL MEETING

The next Meeting of Bourke Shire Council will be held on Monday, 24 August 2020.

QUOTE OF THE WEEK!

“It is health that is real wealth and not pieces of gold and silver.”

Mahatma Gandhi

13 August 2020**WELCOME TO BOURKE SWAGMAN SIGN**

I have received some enquiries as to what has happened to the John Murray painted "Swagman Mural" that was located in Anson Street next to the Water Tower and Percy Hobson Park.

The mural has been removed in preparation for the painting of the "Percy Hobson Mural" on the water tower. In addition to funding secured from individual donors, Council has also secured grant funding, which when combined, will enable the Percy Hobson Mural project to proceed.

Percy Hobson was a Bourke resident who, at the age of 20 years, won a Gold Medal at the 1962 Commonwealth Games in Perth in the athletics event of high jump. In doing so, Mr Hobson became the first indigenous Australian to win a gold medal and in jumping 6 feet 11 inches (2.11 metres), he also set a new Commonwealth record.

The new mural will be a fitting tribute to Percy Hobson who these days lives in Melbourne but still has sisters and other family in Bourke.

Council is considering options for potential alternative locations of the Swagman Mural but as yet has not made any final determination. Council would be happy to receive suggestions as to possible locations bearing in mind that the erection of such structures are subject to a stringent approval process when located on or adjacent to state highways.

It is likely that the mural will, as a minimum, need a "touch up" having been in situ at the Anson Street location for well over a decade and being subjected to the harsh elements during that time.

MEETING WITH NSW GOVERNOR

Bourke Shire Mayor, Councillor Barry Hollman, Deputy Mayor, Councillor Lachlan Ford and myself met with Her Excellency, Margaret Beasley, Governor of New South Wales via a Microsoft Teams teleconference platform last Friday.

The Governor also met with other members of the community earlier in the day including students of Bourke High School via the video conferencing platform. This platform is an alternate means of engaging with the community given the difficulties in coordinating face-to-face meetings associated with travel and other restrictions which have been introduced to stop the spread of COVID-19.

The Governor had planned to be in Bourke in person, however, the social distancing protocols that are currently part of our everyday life necessitated that the trip be postponed and substituted with the virtual meeting.

The Mayor, Deputy Mayor and myself all enjoyed the opportunity to speak with the Governor. Her Excellency was genuinely interested to hear how Bourke had been impacted by the natural disasters that had been experienced across the state over the past twelve months and how the community was dealing with the effects of COVID-19.

The Governor has a strong interest in education and social issues and was also keen to learn about the initiatives which are in place in Bourke to improve outcomes in this regard.

An invitation was extended to the Governor to visit Bourke when the opportunity next arises and she seem very receptive to undertaking a visit to our iconic town.

BOURKE ABORIGINAL EMPLOYMENT PROSPERITY STRATEGY (BEAPS)

Council has been hosting the BEAPS program for the past two (2) years and currently has funding to take the program through to the end of 2020. BEAPS is an initiative of Maranguka and Bourke Shire. The BEAPS program has achieved a number of its targeted objectives. However, the overarching economic climate that resulted from the drought, and then quickly followed by COVID-19, has made the principal objective of creating employment difficult to achieve.

The temporary closure of the abattoir also means that a number of employment opportunities have been lost in the short term.

The Senior Project Officer with BEAPS, Mick McDowell, has made substantial progress in the role and developed good working relationships with employers, schools, training organisations and job seekers, which is a vital part of the role. Unfortunately, much of the good work has been in a holding pattern pending the uncertainty, as created by COVID-19, is resolved. Council is working to secure additional funding for the project. Council strongly believes that once the setbacks are behind the community, opportunities to grow employment will be considerably enhanced.

DESTINATION COUNTRY AND OUTBACK NEW SOUTH WALES

The General Manager of Destination Country and Outback New South Wales, Lucy White, and Business Development Manager, Fleur Pors, were in Bourke last week to undertake Cultural Competency Training.

Lucy and Fleur took the opportunity to meet with Councils Manager of Corporate Services, Leonie Brown, Manager of Tourism and Events, Fran Carter and Tourism Team Leader, Ben Nott, to discuss tourism in Bourke and what Council has planned for the future. Both were given a tour of the town's attractions and an overview of the Bourke tourism product more generally.

COVID-19 has presented significant challenges for all those within the tourism industry with state Borders being closed and overseas holiday destinations not available and overseas visitation to Australia grinding to an abrupt halt.

Once the impact of COVID-19 abates and travel within Australia becomes much easier there is the potential for the number of visitors to rural and remote areas to increase as people wishing to travel elect to see what is on offer on their own back door and not travel overseas. It will be important that Bourke's tourist attractions and product are ready to meet this potential spike in domestic visitation.

REMINDERS TO PET OWNERS

It is timely to remind pet owners about their responsibilities under the Companion Animals Act and Regulations. If you intend to own a dog, cat or any other type of animal that is designated as a companion animal by Council, you must ensure the animal is identified and registered. Please be aware that all dogs are treated as companion animals, including working dogs on rural properties.

MICROCHIPPING

In NSW, all cats and dogs, other than exempt cats and dogs, must be microchipped **by 12 weeks of age or before being sold or given away**, whichever happens first.

REGISTRATION

All cats and dogs, other than exempt cats and dogs, must be registered by six (6) months of age. The registration fee is a once-only payment, which covers the cat or dog for its lifetime in NSW, regardless of any changes in ownership.

Residents are encouraged to have their cat or dog desexed before registering it. By having your cat or dog desexed prior to registration, it helps to reduce straying, fighting and aggression and antisocial behaviour, such as spraying to mark territory. It also helps to reduce the number of unwanted pets born each year.

Discounted registration fees apply to desexed dogs.

Annual permits are now required for owners of non-desexed cats, restricted dog breeds, and dogs declared to be dangerous.

Registration fees are used by Councils for providing animal management related services to the community. These may include ranger services, pound facilities, educational and other companion animal-related activities.

If you require any further information on your requirements under this legislation, please contact Council on 68308000.

FLOW IN THE RIVER

The river continues to have a good flow, which has seen the height maintained at around 4.10 metres at Bourke Weir and water reaching a flow of over 400 megalitres per day.

The flow in the river reached Louth in the middle of last week and had also gone past Tilpa on its way south to Wilcannia.

The flow at Louth went from 3 megalitres per day on the 4th August 2020 to almost 400 megalitres a day on the 8th August 2020.

There is still a good flow coming down the river, which is excellent given the fact we are only a few months away from the summer heat.

In terms of river flow and water availability, 2020 is proving to be a much better year than 2019. As at this time last year, the weir level was at 3.00 metres and it had been 355 days since the Darling River had flowed over the weir.

LIBRARY NEWS

The library is currently gathering information on Bourke servicemen and women who served in the Second World War.

Saturday, 15 August 2020 marks the 75th anniversary of Victory in the Pacific and the end of the Second World War.

To commemorate this historic occasion, the library is putting together a slideshow which features those local men and women who fought for our country, both overseas and on the home front. If

anyone has any photos they would be willing to share, it is requested that they please contact the library.

Residents are reminded to check out the fantastic online resources available on the libraries website www.bourkelibrary.com.au, including Ancestry, Britannica Library and World Book Online. All you need is a library card. You can also download the Bourke Public Library app, available on the App Store and Google Play. If you would like any more information contact the library on 0268722751 or bpl@bourkelibrary.com.au, and one of the friendly staff will be happy to help you.

ROADS UPDATE

Council graders are working on the Bourke to Louth Road having started from the Louth end of the road last week. The major grading of the Louth Road has traditionally taken place at this time of the year to coincide with the Annual Louth Races. Unfortunately, this year's races, which had been planned for last weekend, were cancelled due to the ongoing COVID-19 Pandemic.

Grading from Enngonia to the Brewarrina Shire boundary was finalised last week with work now commencing from this point towards Lednapper.

Work on the Wanaaring Road upgrade continues. It certainly has to be a welcome sight for those in the west of the Shire who have seen dramatic improvements in the road condition resulting in significantly less travel time and a smoother ride generally. In addition, the road improvement should result in an increased level of tourist traffic plus much better access for stock transport and other transport involved in the agricultural sector.

COUNCIL STAFF FUND RAISING

Council staff are generally very generous with fund raising when it comes to supporting local charities and other causes. To maximise the fund raising capacity you generally need someone who is keen to champion a cause and promote the fundraiser. A good example lately was Team Leader of Council's Administration Staff, Kellie Honeyman. Kellie took control of the sale of cupcakes within the office and managed at one stage to sell one dozen cupcakes to some willing buyers for \$70.00, which certainly helps build the amount raised.

In all almost \$250.00 in total was raised from the sales.

The overall generosity of Bourke people for fundraising events, particularly if they relate to local people, is nothing short of exceptional and typifies the strong level of community spirit that exists within the Shire.

NEXT MEETING OF COUNCIL

The next monthly meeting of Bourke Shire Council will be held on Monday 24th August 2020 and any matters that need to be lodged with Council for consideration at that meeting should be received no later than 14th August 2020.

At this stage the meeting will again be conducted on a face to face basis with the public only being able to participate by following the meeting via a webcast. Councillors have the option not to attend in person but to participate remotely via an Audio-Visual link.

The restrictions on space and the need for social distancing has meant that some staff are also unable to attend in person however, by also utilising the Audio – Visual platform, such staff are

both able to follow the meeting and comment on any reports they may have submitted, as required.

In a General Manager's on-line forum conducted last week, it was evident that very few Councils, if any, are able to have the same number of members of the public present in their Council Chamber that they did pre COVID-19 due to space limitations. Councils have made various arrangements to cater for the inability to attend meetings with the webcast of meetings being by far the most popular method.

LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

The LEMC met last week and as usual the meeting was preceded by a meeting of the Local Rescue Committee which comprises the Police, State Emergency Services, Rural Fire Service, New South Wales Fire and Rescue and Ambulance. All agencies are normally represented with the gathering restrictions in place as a result of the COVID -19 Pandemic only marginally impacting attendances at the meetings. These meetings are important and ensure that all agencies are prepared and equipped to handle emergency situations, when, and if, they arise.

Membership of the LEMC comprises those involved in the Local Rescue Committee but also includes a number of other agencies including Bourke Shire Council, Local Land Services, National Parks and Wildlife, Department of Communities and Justice and Essential Energy.

As I have said a number of times previously, the various emergency service organisations in Bourke work collaboratively and the community can be assured of a high level of preparedness.

The meeting marked my last as Chair of the regular meetings of the LEMC, although I will still continue to be involved in the fortnightly meetings to deal with matters impacting on our community as a result of COVID-19 up until my last day with Council.

COMMENCEMENT OF THE NEW BRANDING AND SIGNAGE PROJECT FOR BOURKE

If you have the opportunity to go past the Back O Bourke Exhibition Centre, you will notice new signage incorporating the letter "B" which is part of the new branding and signage for Bourke. This branding is also featured on a series of promotional flags along the front of the Centre.

These signs and flags are the commencement of an extensive transformation of the signage and branding of our town and its tourism product. The project will take a few months to implement but when completed will make the identification of various facilities and landmarks within Bourke Shire much clearer.

The designs of the signs are the result of a hard working group of Council staff who have worked closely with local graphic designer Laura Gillard.

Installation of the new signage will not just be focussed on the Bourke township but will also be installed across the Shire and will, I am sure, be well received. The branding was the subject of presentations during the annual round of village and town community consultation meetings where it met with a positive response.

ONGOING RISKS OF COVID-19

I saw an interesting quote regarding the COVID-19 virus during the week which caught my eye:-

“The virus doesn’t move, people move it. We stop moving, the virus stops moving, the virus dies. It’s that simple.”

With this phrase in mind, I would suggest that if we are to defeat this virus, it is necessary that all citizens do the right thing in terms of gathering restrictions, all the time.

If we do not, we will slide into the same shaky ground that the nation’s second most populous state now finds itself. This includes, tragically, deaths exceeding ten people a day, new cases ranging from 300-700 per day. Stage three (3) and four (4) lockdowns and the resulting closure of businesses and concerning levels of unemployment. The NSW Premier said this week “the next few weeks were critical for NSW.”

As a community, we all need to be vigilant and not complacent. Without putting too fine a point on it, complacency could be the difference between life and death. One person can jeopardise each and every-one of us.

I again urge residents to maintain the foursquare metre and 1.5 metre social distancing rules and hand hygiene techniques when in a group. The NSW Governments website has a significant amount of information available should you need information on specific gathering requirements.

GOVERNMENT STRENGTHENS MODEL CODE OF CONDUCT

The State Government has strengthened the Model Code of Conduct for Local Councils in NSW as part of its commitment to improving the integrity, transparency and accountability of the Local Government sector.

The changes include strengthening investigation processes and penalties for Councillor misconduct to target the small minority who engage in bad behaviour and jeopardise the good reputation of the majority of Councillors in NSW.

The Government introduced strict new standards for local Councils in the new Model Code of Conduct in December 2018 to help ensure the ethical, accountable and transparent operation of Local Government across the State.

The code, which applies to 48,000 staff and 1,300 Councillors at 128 Councils, 10 County Councils and 13 Joint Organisations across NSW, is again being strengthened to further enforce high standards of conduct in our local Councils

QUOTE OF THE WEEK!

“Optimism is a happiness magnet. If you stay positive, good things and good people will be drawn to you.”

20 August 2020

CULTURAL COMPETENCY TRAINING

The Department of Regional NSW have been working closely with Maranguka in Bourke to deliver cultural competency training in 2020.

This cultural competency training is being sponsored by Gary Barnes, the Secretary of the Department of Regional NSW and forms part of his commitment as the NSW Government's champion for Maranguka.

This training consists of a day of classroom content and experiential on Country learning and a day of language immersion and on Country learning. Participants are required to complete both days as part of the overall training package.

The introduction of the training follows the successful delivery of the pilot Maranguka Cultural Competency training session held in Bourke in December last year for Government employees and the subsequent reporting back to the Central West Orana and Far West Regional Leadership Executive who have supported the project.

All the training courses are to be delivered in Bourke and already there have been two (2) courses conducted, albeit with reduced numbers due to the restrictions brought about by COVID-19. The attendees at the courses held to date have come from a wide range of Government Departments with staff at all levels within those organisations attending.

Maranguka are to be congratulated on their initiative in this matter. Not only does the training fill an important void in relation to ensuring that staff of all organisations servicing communities with a significant level of aboriginal population are aware of the cultural issues that may impact on service delivery to those communities, but the training also brings to Bourke a number of people who may otherwise not have had that opportunity.

FLOW IN THE RIVER

The strong flow of water in the Darling River continues with the current flow helped by localised falls of rain late last week.

The height of the river last Friday was 4.19 metres with a flow of 770 megalitres per day. The flows look likely to continue for some time yet which is great news for the health of the river and also for those downstream of Bourke who will hopefully see sustained flows.

RAINFALL IN THE REGION

I noticed the following article on the "Weather Zone" website and thought it may be of interest for those who follow rainfall and weather records.

"After widespread falls last week, another rain band swept much of NSW during Friday, making monthly totals already exceed the average in some places.

Bourke and Cobar collected 13mm from this last rain event, which makes the total rainfall so far this month exceed 30 and 40mm, respectively. Although these amounts may sound modest, they represent the highest monthly rainfall for August since 2014 and 2016, respectively. It is also remarkable that these figures are achieved in only the first two (2) weeks of the month.

Wanaaring, on the Paroo River, has now technically had its wettest August on record (68mm), previously set in 1960 with 67.8mm. It is worth mentioning that the measurements in this town started as far back as 1884. “

LIBRARY NEWS

National Science Week is on this week. To celebrate, the Bourke Public Library has some great activities available online at its website, www.bourkelibrary.com.au

In addition, on Friday, 21 August 2020, the Library will have an on-line science “trivia night”.

As part of the event, some 20 science related questions will be posted on Friday onto the libraries Facebook page and onto its website. The first 10 people to reply with the correct answers will win a prize.

For further details on how to participate please, talk to the library staff.

Colouring-in sheets are also available in the library throughout the week, and there will be prizes for the best colouring completed. Sheets need to be returned by Friday, 28 August 2020.

The slogan “libraries more than books” is certainly appropriate as the Bourke Library staff continue to offer a variety of additional services to those traditionally delivered by libraries.

There are plenty of other fantastic online resources available on the libraries website, including Ancestry, Britannica Library and World Book Online. All you need is a library card. You can also download the Bourke Public Library app, available on the App Store and Google Play. If you would like any more information contact the library on 0268722751 or bpl@bourkelibrary.com.au, and one of the friendly staff will be happy to help you.

COUNCIL ROAD CLOSURE REPORT

Council staff have developed a new map to be included with all road closure notifications.

The map is colour coded and clearly identifies the status of each of the roads within the Shire and certainly makes it much easier to explain closures to the travelling public.

An advertisement appears in the edition of the Western Herald to be published on the 20 August 2020 and is also available on Councils website www.bourke.nsw.gov.au

Council tries to maintain its road condition report as up to date as possible, however, given the large area cover by Bourke Shire it sometimes takes a little while to collate accurate information prior to publication of the report.

ROADS UPDATE

Council has completed slashing works on the Bourke to Queensland Border section of the Kidman Highway and this will ensure that visibility on the side of the roads is maximised.

The road construction being undertaken on the Bourke to Milparinka Road (Barakee Section) is progressing well and on schedule for sealing works to begin in October.

As noted last week, Council's Road Maintenance Team has been conducting grading operations in the Enngonia area of late. Once they have completed this section of the road network, they will start the push west to continue grading the roads around Fords Bridge and the Yantabulla areas.

Council has also engaged local contractors to complete road maintenance grading in the southern section of the Shire. The contractors have started the grading of the Bourke to Louth Road and the Tooralé Road is nearing the end of completion.

The recent rainfall has pushed some of our grading works past the planned finishing dates, but will assist in the provision of a better-finished road surface.

NEXT MEETING OF COUNCIL

The next monthly meeting of Bourke Shire Council will be held on Monday 24 August 2020.

At this stage, the meeting will again be conducted on a face-to-face basis with the public only being able to participate by following the meeting via a webcast. Councillors have the option not to attend in person but to participate remotely via an Audio-Visual link.

The restrictions on space and the need for social distancing have meant that some staff are also unable to attend in person and are also utilising the Audio – Visual platform, however, such staff are both able to follow the meeting and comment on any reports they may have submitted, as required.

TELECONFERENCE ON THE IMPACT OF THE QUEENSLAND BORDER CLOSURE

Each State Government within Australia is taking the steps that they feel necessary to contain the spread of COVID-19 within their state boundaries.

One of the measures taken has been the closure of state boundaries whereby people are not able to cross-state borders except under strict conditions and with a few exemptions. In most instances, it would appear that persons wishing to cross borders are required to self-isolate for 14 days at their own expense. There are exemptions in place for some border communities, however, there a number of people who are still required to commute from outside of these areas.

Council's Manager of Corporate Services, Leonie Brown, attended a teleconference meeting hosted by the New South Wales Cross Border Commissioner, James McTavish, last Thursday. At the meeting, Council representatives from along the NSW/Queensland Border had the opportunity to hear about the latest developments, plus bring to the attention of the Cross Border Commissioner some of the problems being faced by residents of the border communities.

All the Local Government Authorities along the border were invite to participate in the teleconference, with Bourke being included. Other Local Government areas included Brewarrina, Walgett, Moree Plains, Gwydir, Inverell, Glen Innes Severn, Tenterfield, Kyogle, Byron, and Tweed Councils with the unincorporated area also included.

The teleconference was also attended by the Local Members of Parliament whose electorates also take in the border communities with our Local Member for Barwon, Roy Butler, MP. Also in attendance was the Minister for Western New South Wales, the Hon. Adam Marshall, MP whose electorate covers Councils along the border.

Some of the issues identified were:-

- School teachers, Police and health workers living in Queensland but working in NSW and vice versa;
- Access to schools and health services by border communities;
- The likelihood of difficulties being encountered by harvesting contractors when crossing the border;
- Key NSW staff who live on the coast in Queensland;
- Contractors who normally work both sides of the borders being unable to do so without having to self-isolate.

While the above is not an exhaustive list, it does highlight some of the issues that have to be considered and each has an impact on communities and individuals.

The impacts obviously need to be considered in light of the overall objective of suppressing the virus.

Border Communities have for a long time highlighted the problems created by the fact that NSW has daylight saving and Queensland doesn't and this causes confusion when arranging meetings and appointments.

From my days in Moree, I recall having to schedule meetings in Boggabilla to ensure that the time suited both those who worked in Boggabilla and those who worked across the border in Goondiwindi so that everyone has the opportunity to attend.

Similarly, in Mungindi, the bulk of the town is in New South Wales including the Medical Practice but the hospital is across the border in Queensland.

There are another two (2) teleconferences scheduled for the week beginning 17 August 2020 to allow all those Councils along the border to be made aware of any amendments to the restrictions and have the opportunity to highlight particular difficulties being encountered by residents

ONGOING RISKS OF COVID-19

It is imperative that at this critical time the community continues to work together to keep Bourke and NSW safe.

The advice from the NSW Governments website (<https://www.nsw.gov.au/covid-19/what-you-can-and-cant-do-under-rules>) is that the following rules have been proven to be the most effective to stop the spread of COVID-19:-

- Stay 1.5 metres apart from others – when that's not possible, wear a face mask;
- Practice good hand washing hygiene;
- Stick to the rules about visiting other households;
- Get tested immediately if you have any symptoms and stay home while waiting for results; and,
- If you go out to a restaurant, café or pub, the maximum group size is 10 and you must sign in.

NSW Health have advised that 18-35 year olds have the highest rate of COVID-19 infections, with this coming as a surprise to me. Given this NSW Health have put a “shout out” for help to reach members in the community are in this age demographic so that they are aware of their potential for infection. COVID-19 is not just an aged person’s virus.

If you are, or know someone who is in this age group, you can help get the message out on social media.

Two (2) simple steps:-

1. Take a video on your phone about why you got tested or would get tested for COVID-19 and post on your social channel
2. Use the hashtag [#Ittest4NSW](#) so Health can find your video.

Increasing the testing rates of young people continues to be vital in the fight against COVID-19 in NSW.

Remember, please follow the rules and stay safe.

REINVIGORATION OF CROSS BORDER TOURISM INITIATIVE

For some time now, the possibility of a cross border tourism promotion initiatives has been discussed focussing on those Councils in the Far North West of New South Wales and those in South West Queensland.

A meeting was held in May 2018 and there was general agreement to proceed with a Memorandum of Understanding developed but not signed by all parties.

Those Councils who attended the meeting from Western New South Wales were Bourke, Walgett, Cobar and Brewarrina Shires whilst from South West Queensland were the Paroo, Bulloo and Balonne Shires.

The Far North West Joint Organisation of Councils (FNWJO) is now keen to progress the establishment of the cross border tourism promotion and to this end would like to gauge the interest of all Councils previously involved.

To further progress the proposal and reinvigorate the concept, Bourke Shire Council has offered to host an audio-visual link up with all Councils with that meeting to involve the Chief Executive/ General Manager of each Council plus the Manager of Tourism or their respective delegates.

All members of the FNWJO have received funding to improve infrastructure within their towns and are developing a strategy to improve tourism within the area.

While the State borders and access are currently a prohibitive factor in promoting the initiative there is a lot of work that can be done while we wait to see an end to the current Pandemic situation created by COVID-19.

STREET LIGHTING IMPROVEMENTS

The upgrade of street lighting in Bourke is all but complete with the lights in Yantabulla having also being replaced early last month. It has been a big job but the benefits of improved lighting are obvious across the shire.

I recently had a conversation with a resident from Enngonia who said that the lights were tremendous.

The additional improved lighting is just one of a number of improvements being rolled out for the village of Enngonia over the past few years and I am sure that a similar sentiment would be expressed across all villages each of which has seen a significant injection of funds.

MURRAY DARLING ASSOCIATION ANNUAL CONFERENCE

The Murray Darling Association (MDA) is an organisation of local Government Councils across all sections of the Murray Darling Basin.

Their conference this year like many others will be a “virtual Conference” given the restrictions in numbers able to attend functions being introduced to assist in the reduction of COVID-19. The conference will, none the less, be as important as conferences held in previous years. Council is a member of the Murray Darling Association and has been represented at the annual conference in previous years.

The MDA has been able to attract some excellent speakers this year including the Deputy Prime Minister, the Hon Michael McCormack MP, Mr Tim Costello of the Australia Climate Council and Ms Fiona Simpson from the National Farmers Federation.

Whilst it is a Local Government focused conference, all those with an interest in the Murray Darling Basin Issues will find it interesting.

Details of the conference can be obtained by accessing the following link:

<https://web.cvent.com/event/>

PV JANDRA MARKS 20 YEARS IN THE WATER

20 August 2020 marks 20 years since the PV Jandra first sailed the mighty Darling River. Initially built by the Mansell Family it has been owned and operated by Bourke Shire Council for the past 13 years.

The Jandra is a great tourist drawcard for the town of Bourke and adds significantly to the town’s tourism product. The boat has been extremely popular over the years and has been the floating venue for many exciting events, including welcome functions, civic receptions, farewells and Christmas parties. One of the functions held on the Jandra involved the loading of a baby grand piano with guests all dressed in formal attire as they enjoyed a night-time cruise and listened to the tunes from the baby grand.

After missing last season’s tourism season as a result of the lack of water in the Darling River and then a delayed start this year due to COVID-19, the Jandra was “relaunched” in late June 2020. Passenger numbers on the boat since recommencing its travels have been most pleasing with many a visitor to Bourke taking the opportunity to cruise and witness the beauty of the mighty Darling River.

PIPERS RECOGNISE THE END OF WORLD WAR TWO

Annette joined with hundreds of pipers and drummers across the country and North America at 9.30am last Saturday, 15 August 2020 in playing VP75- Lest We Forget, a tune specially commissioned by Pipe Bands Australia and written by Melbourne composer Mark Saul for the 75th Anniversary of the end of World War 2.

The lament honours all Australians who served at home and abroad and particularly those who did not return from the theatres of war and prisoner –of-war-camps.

Pipers are required to learn each of the tunes they play and don't have the benefit of music whilst they are playing.

QUOTE OF THE WEEK!

"Your talent determines what you can do. Your motivation determines how much you're willing to do. Your attitude determines how well you do it."

Mary Lou Retton

Recommendation

That the information in the General Manager's Activity Report as presented to Council on Monday, 24 August 2020 be noted.

22.5 MANAGER OF COMMUNITY ENGAGEMENT ACTIVITY REPORT

File Number: S6.19.61
Author: David Perry, Manager of Community Engagement
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

The Bourke Shire Council Community Engagement report provides Council with a status update on activities undertaken by the Manager since the last Ordinary meeting held on Monday, 27 July 2020.

Current Situation

Meetings Attended-webinar, phone conferences:-

- LG Professionals NSW, Electronic Signatures, legal implications
- SEGRA, Collaboration, Master Plan
- Objective Corporation, Digital Workflows for Workforce
- LG Professionals NSW, Waverly Council, Electric Vehicle Charge Stations
- RaRMS Doctors, Jeremy Goff, discussion on new doctors to the area
- Narromine Council, Ash Bullock, VAULT Safety System operations
- State Cover, VAULT Safety System
- SEGRA, More Jobs Than People

Oral History Project

Reference: Community Strategic Plan 2017-Liveable and Vibrant Community Foster a community that respects the diversity of our population and is supportive of cultural differences, ages and abilities of community members.

The Bourke Public Library holds a large quantity of historical information including the WJC (Bill Cameron) and the ARB (Alan Barton) Collections, as well as the Bourke Public Library Collection.

Family and local history has gained momentum over previous years and continues to do so.

Bourke Library is currently digitizing the WJC Collection, some of the photos from the collection will be available online on the Library website. The Di Tyson tapes are also presently being digitalised and will be available in the future.

Since the deaths of Bourke's two historians, Bill Cameron and Alan Barton, not a lot of the town and district's history has been recorded or published. Their collections cover the beginnings of Bourke and district up until about the 1990's when they left town, however their work mainly covers up until about 1930, from there on, our history has only been touched upon. Paul Roe had a series of oral histories on the local radio, where he interviewed people who told stories of different popular areas. A copy of these survives at the Library. History does not stand still so we need to keep recording for future generations to appreciate the richness of past lives and events.

We interpret our lives through stories. A great story resonates with us emotionally and can be remembered for a long time, just like a book or movie. The power of telling your own story cannot be underestimated and to record it could not be easier.

One of the most powerful ways to tell a story is through the audio recording of the person's voice. It has the effect of a radio story where our mind is left to imagine the various changing scenes and your emotions being touched by the tone of the voice.

The Library will be undertaking an Oral History Project where the community will be asked to nominate members from all walks of life who they consider can contribute to the project. It is the intention that these stories will be made available to the public via the Library social media outlets.

Small Business Commissioner - NSW Government

The Commission has been busy from the various challenges associated with the coronavirus pandemic. They have initiated a small business friendly Council initiative whereby they are gathering information on:-

- the response and support Council has offered to businesses
- key issues businesses are experiencing currently (environmentally, fiscally, operational or regulatory)
- any issues in accessing various government support and
- regulatory reform ideas that could help small business now or in the long term

Initial discussions with Tyler Wakefield, Senior Advisor has been positive and Council looks to continue in the initiative.

Regional Development Australia- ORANA

Bourke Shire Council has been working with the ORANA group to acknowledge business activity in the region. At present the initial process has started with a business in the Bourke region and we intend to follow through onto other business sectors. The business gets to be highlighted on the ORANA webpage covering Success Stories. This is good advertising for the business but also the Bourke Shire.

Recommendation

That Council note the information in the Manager Community Engagement Activity Report as presented to Council on Monday, 24 August 2020.

22.6 LIBRARY MANAGER'S ACTIVITY REPORT

File Number: L4.1
Author: Jodi Hatch, Library Manager
Authoriser: Ross Earl, General Manager
Attachments: Nil

Background

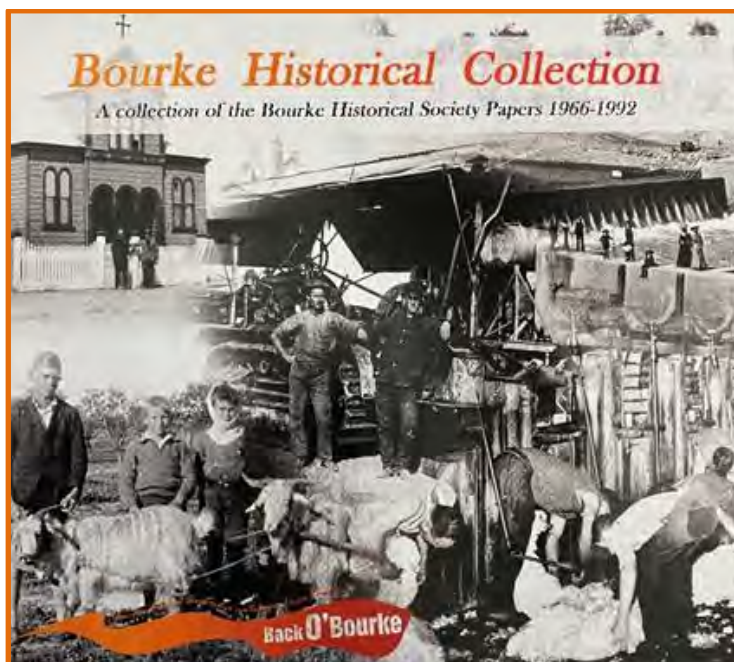
Activities conducted by the Bourke Public Library since the previous meeting of Council are report monthly.

Current Situation

The following items for the 2019/20 period are presented for your information:-

Item	June 2019	June 2020
Loans	739	634
New Members	10	7

The library was very busy this month, largely with tourists applying for and printing border passes to Queensland. Local customers are also starting to return to the library. We are still not providing any in-house children’s services, but take home craft packs were provided in the school holidays, and we will continue to provide this service until we are able to resume face-to-face services. Library staff are currently reviewing the History of Bourke volumes with a view to correcting any mistakes. The edited volumes will then be made available online on the library website, and on a USB stick for sale.



Recommendation

That Council note the information in the Community Engagement Activity Report as presented to Council on Monday, 24 August 2020.

22.7 TOURISM AND EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.3
Author: Fran Carter, Manager Tourism & Events
Authoriser: Leonie Brown, Manager Corporate Services
Attachments: Nil

Background

The Bourke Shire Councils Tourism and Events Manager's Activity Report provides Council with an updated status report for July, relating to its tourism teams activities through visual data including graphs and statistics to allow for the measurement of the team progress and performance.

Current Situation**General Activities July 2020**

- There were 2570 visitors for July.
- Interesting to note the comparison of visitors to the centre in July 2019 was 6834 and in July 2020 there were 2570 visitors. July 2019 had more than double the visitor numbers with no boat operating because of drought conditions. This year in July we had the boat operating, but were limited to our maximum numbers in order to comply with COVID legislation, but we were up more than 9% in sales at the centre for July 2020- largely attributed to the Jandra.
- Constantly fielding accommodation, road information, border enquiries and passes (walk-in's and phone) as a result of the daily changing situation with the COVID-19 pandemic. Also general ongoing enquiries due to business travellers and tradesmen working on projects in the area.
- There were 822 incoming calls to the centre for July, along with 300 emails and 11,181 visits on our Visit Bourke website.
- PV Jandra completed 58 trips for July, with over 900 tickets sold.
- Exhibition Centre sold 686 tickets. 83% more on the previous month.
- Now that the Crossley Engine has completed its maintenance it has been running very smooth.
- Cultural walks visitor numbers are up on last month by 42%
- Mt Oxley tickets sold for July were up by 49% on last month
- Outback Show has dropped back to weekends now as visitor numbers have begun to decline, due to closing of borders. The show has been popular amongst the visitors and had great success running six days a week in the July school holiday period.
- New storage shed for the Function Centre has commenced and will be due to be finished in mid-Sept.
- The new Café is currently in the process of being set up and ready to operate. Staff have completed Barista training and are continuing to train on the coffee machine.
- Air Con upgrades to B1 and B4 is almost finished.
- The new visitor centre showroom is taking shape, just finishing the fit-out so we are ready to go.
- Merchandise ordered for the impending opening.
- Lots of behind the scenes work being done ready to move in.
- Gardens being maintained ongoing mulching and spraying.

Back O' Bourke Exhibition Figures:

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Jan		448	560	325	326	302	348	386	782	1109
Feb		157	397	271	373	391	220	282	1043	386
Mar	810	570	1500	1051	1342	1612	1245	1274	1021	412
April	2507	2144	3103	3146	3849	3118	3114	4024	3166	0
May	2656	2891	3758	3988	4602	4073	3983	4770	3693	0
June	2952	3216	4492	4275	5437	5199	4754	5634	4490	993
July	4362	4643	5173	6241	6002	5941	5982	7614	6834	2570
Aug	4187	4162	4410	4793	5078	4951	5051	5548	4052	
Sept	4295	5074	4275	4764	4489	4532	4246	4676	3601	
Oct	2674	3067	2383	2486	2370	2475	2463	3574	2222	
Nov	1012	930	789	671	610	1031	876	1014	1220	
Dec	386	347	207	242	272	281	255	630	860	
Total	25841	27649	31044	32253	34750	33906	32537	39454	32984	

Recommendation

That Council note the information in the Tourism and Events Manager's Activity Report as presented to Council on 24 August 2020.

23 CLOSED SESSION**Recommendation**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

23.1 * Tenders for the Supply for Plant Hire 2020/2021**

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

23.2 * Deed of Agreement - CAPRA PTY LTD - Proposed Sale of Small Stock Abattoir**

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

23.3 * Far North West Joint Organisation - Air Services**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

23.4 * Outstanding Rates & Charges**

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

23.5 * Financial Statements - 30th June 2020**

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.