



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

Date: Monday, 27 September 2021
Time: 9.15am
Location: Bourke Shire Council
29 Mitchell Street Bourke NSW

BUSINESS PAPER

Ordinary Council Meeting

27 September 2021

Mark Riley
General Manager

Time	Event	Representative	Organisation
9.00am	Community Open Forum for members of the public to address Council via Audio-visual Link		
9.30am	Presntation NSW Audit Office	Manuel Moncada Brett Hanger	Delegate of the Auditor-General Nexia Sydney
11.00am	Monthly Update	Superintendent Tim Chinn	Darling River Local Area Command



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>_____</p> <p>_____</p> <p>_____</p>

<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 - MAYORAL ACTIVITIES

File Number: M2.1
Author: Barry Hollman, Mayor
Authoriser: Mark Riley, General Manager
Attachments: Nil

The Activities of the Mayor from 19 August to 22 September 2021 are as follows:

Date	Meeting	Location
25/08/2021	Radio Interview 2CUZ FM & 2WEB	Phone
26/08/2021	Teleconference - Minister Western NSW Adam Marshall and LGNSW team COVID – 19 Update	Teleconference
31/08/2021	Extended Webinar COVID – 19 – Minister Shelley Hancock, Dr Marianne Gale, Deputy Chief Health Officer NSW, Deputy Police Commissioner Malcolm Lanyon	Teleconference
01/09/2021	Radio Interview with 2DU Dubbo and Land Newspaper regarding the fire at Diggers on the Darling	Phone
06/09/2021	Teleconference – FNWJO – Review existing Air Service Agreement, new round of funding Capacity Building Fund	Teleconference
08/09/2021	Attend meeting at Bourke District Hospital grounds with Health Minister Brad Hazzard, Scott McLachlan, Roy Butler MP, Brandon Cutmore, Stephanie Cook & Superintendent Tim Chinn	Bourke District Hospital

Recommendation

That the information in the Mayoral Minute as presented to Council on Monday, 27 September 2021 be noted.

7 STARRING OF ITEMS

8 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 23 August 2021



MINUTES

Ordinary Council Meeting

23 August 2021

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**MINUTES OF SHIRE OF BOURKE
ORDINARY COUNCIL MEETING
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW
ON MONDAY, 23 AUGUST 2021 AT 9.27AM**

- PRESENT:** Cr Barry Hollman (Mayor/Chairman), Cr Sarah Barton, Cr Ian Cole, Cr Sally Davis, Cr Lachlan Ford (Deputy Mayor), Cr Sam Rice, Cr Robert Stutsel
- IN ATTENDANCE:** Mark Riley (General Manager), Leonie Brown (Manager of Corporate Services), Peter Brown (Manager Works), Dwayne Willoughby (Manager Environmental Services), Peter Brown (Manager Works), Mark Gordon (Manager Roads Services), Dwayne Willoughby (Manager Environmental Services).

The Mayor and Manager Corporate Services were in attendance in the Council Chamber whilst the balance of Councillors and staff attended the meeting via audio-visual link.

1 OPENING PRAYER

The Mayor opened the meeting with a prayer

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor then provided an Acknowledgment of Country

3 REMEMBRANCE

Council stood in silence in the memory of the following recently deceased:

Edward Barker	Etelvina Rios	Barry Williams
John Hull	Kim Raftos	Jeff Muir
John Doyle	Brian Waters	Biddy (nee Fields) Walker
Mick James		

4 LEAVE OF ABSENCE

Resolution 2021/228

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

- 1. That the apology received from Councillor Bartley be accepted and leave of absence granted.**
- 2. That as a result of technical difficulties which resulted in Councillor Thompson being unable to join the audio-visual meeting Councillor Thomson be granted leave of absence.**

Carried

5 DECLARATION OF INTEREST

Cr Sarah Barton declared a non-pecuniary interest respect of Confidential Item No 22.9 of today's Closed Council agenda, being the Mayoral Minute – General Manager Recruitment such that she will close her laptop and be out of sight during the Council's consideration of this matter. The reason for such interest is the relationship with the Manager Corporate Services who may be a potential applicant for the position of General Manager.

Mark Riley, General Manger, declared a pecuniary, interest in respect of Confidential Item No 22.9 of today's Closed Council agenda being the Mayoral Minute – General Manager Recruitment, such that he will close his laptop and be out of sight during the Council's consideration of this matter. The reason for such interest is that whilst he will not be an applicant for the full time role, the Minute gives consideration to Mr Riley's term of tenure with Council.

Leonie Brown, Manager Corporate Services, declared a pecuniary interest in respect of Confidential Item No 22.9 of today's Closed Council agenda being the Mayoral Minute – General Manager Recruitment, such that she will leave the room and be out of sight during the Council's consideration of this matter. The reason for such interest is that Ms Brown may be a candidate for the role of General Manager once advertised.

6 MAYORAL MINUTE

6.1 MAYORAL MINUTE - MAYORAL ACTIVITIES

File Number: M2.1

The Council had before it the Mayor Activity Report from 21 July 2021 to 18 August 2021.

Resolution 2021/229

Moved: Cr Barry Hollman

That the information in the Mayoral Minute as presented to Council on Monday, 23 August 2021 be noted.

Carried

7 STARRING OF ITEMS

Council's Code of Meeting Practice provides that Council may at any time, resolve to adopt multiple items of business on the agenda by way of a single resolution.

In this regard the Council had before it a list of reports, unstarred, with such items proposed to be adopted by Council in a single resolution. No additional reports were identified by Council to be starred for individual consideration.

Resolution 2021/230

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 23 August 2021 be adopted.

Carried

8 CONFIRMATION OF MINUTES

Resolution 2021/231

Moved: Cr Sam Rice

Seconded: Cr Sally Davis

That the minutes of the Ordinary Council Meeting held on 26 July 2021 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

9 NOTICE OF MOTION

Nil

10 RESCISSION MOTION

Nil

11 BUSINESS ARISING

11.1 * BUSINESS ARISING**

File Number: C12.1

The Council had before it the report of the General Manager regarding the business outstanding from previous meetings of Council.

Resolution 2021/232

Moved: Cr Sarah Barton

Seconded: Cr Sam Rice

That the information in the Business Arising Report as presented to Council on Monday, 23 August 2021 be noted.

Carried

11.2 CALENDAR OF EVENTS

File Number: C12.6

The Council had before it the report of the General Manager regarding the Calendar of Events.

Resolution 2021/233

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the information in the Calendar of Events Report as presented to Council on Monday, 23 August 2021 be noted.

Carried

11.3 INFORMATION TO COUNCILLORS

File Number: C12.1

The Council had before it the report of the General Manager regarding the Information to Councillors for the period 21 July 2021 to 18 August 2021.

Resolution 2021/234

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the contents of the Information to Councillors Report as presented to Council on Monday, 23 August 2021 be noted.

Carried

12 ENGINEERING SERVICES DEPARTMENT

Nil

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

13.1 FOOD SURVEILLANCE ACTIVITY REPORT 2020/21

File Number: H1.5

The Council had before it the report of the Manager Environmental Services regarding the Food Surveillance Activity Report 2020/21.

Resolution 2021/235

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That Council note the report in relation to Food Safety inspections.

Carried

14 GENERAL MANAGER

14.1 * POSTPONEMENT OF COUNCIL ELECTIONS - TERM OF MAYOR AND DEPUTY MAYOR**

File Number: C11.5, C11.6

The Council had before it the report of the General Manager regarding the Postponement of Council Elections - Term of Mayor and Deputy Mayor.

Resolution 2021/236

Moved: Cr Sarah Barton

Seconded: Cr Sally Davis

That as a result of the postponement of Council Elections in NSW until 4 December 2021, it be noted that Mayor Barry Hollman and Deputy Mayor, Councillor Lachlan Ford, retain their roles with Council until 4 December 2021 with no requirement for an election in respect of either position being required in September 2021.

Carried

14.2 DELIVERY PROGRAM REPORT 1 JULY 2020 TO 30 JUNE 2021

File Number: P4.2

The Council had before it the report of the General Manager regarding the Delivery Program Report 1 July 2020 to 30 June 2021.

Resolution 2021/237

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That Council notes the activity progress against the actions contained in the 2020/2021 Delivery Program.

Carried

14.3 DISCLOSURES OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS

File Number: C11.7, S2.29

The Council had before it the report of the General Manager regarding the Disclosures of Pecuniary Interest and Other Matters Returns.

Resolution 2021/238

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That Council notes the tabled Disclosure of Interest Returns by Councillors and Designated Persons and the Register of Returns for the 2020/2021 Financial Year, in accordance with Section 440AAB of the Local Government Act 1993.

Carried

14.4 DETERMINATION OF DATES AND TIMES OF MEETINGS DUE TO POSTPONEMENT OF THE LOCAL GOVERNMENT ELECTIONS

File Number: C12.1

The Council had before it the report of the General Manager regarding the Determination of Dates and Times of Meetings due to Postponement of the Local Government Elections.

Resolution 2021/239

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That having regard to the revised date of the 2021 Council Elections, being 4 December 2021, Ordinary meetings of Bourke Shire Council for the extended period of the Council be held at 9.15am on the following dates:

- **Monday 27 September 2021**
- **Monday 25 October 2021**
- **Monday 22 November 2021**

Carried

15 CORPORATE SERVICES DEPARTMENT

15.1 * BANK RECONCILIATION & STATEMENT OF BANK BALANCES**

File Number: F1.1

The Council had before it the report of the Manager of Corporate Services regarding the Bank Reconciliation & Statement of Bank Balances.

Resolution 2021/240

Moved: Cr Sam Rice

Seconded: Cr Sally Davis

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 2021 be noted.

Carried

15.2 * INVESTMENT REPORT AS AT 30 JULY 2021**

File Number: F1.1

The Council had before it the report of the Manager of Corporate Services regarding the Investment Report as at 30 June 2021.

Resolution 2021/241

Moved: Cr Sam Rice

Seconded: Cr Lachlan Ford

- 1. That the report regarding Council's Investment Portfolio 31 July 2021 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted**

Carried

15.3 * ADDITIONAL REVIEW OF OPERATIONAL PLAN 2020/2021 AND REALLOCATION OF FUNDS**

File Number: F1.1, F1.3

The Council had before it the report of the Manager of Corporate Services regarding the Additional Review of Operational Plan 2020/2021 and reallocation of funds.

Resolution 2021/242

Moved: Cr Sally Davis

Seconded: Cr Sam Rice

That Council adopts the recommendation to amend the capital costs planned for 2020/2021 as detailed in the report and revote the expenditure to the Operational Plan for 2021/2022.

Carried

15.4 * RATES WRITE-OFF - ASSESSMENT NO. 01143-00000000-000**

File Number: R.2.5

The Council had before it the report of the Revenue Officer regarding the Rates Write-Off - Assessment No. 01143-00000000-000.

Resolution 2021/243

Moved: Cr Sally Davis

Seconded: Cr Sam Rice

- 1. That Council write off rates, charges and interest for assessment number 01143-00000000-000 to the amount of \$17,419.55.**
- 2. That Council note the property will then become non-rateable.**

Carried

At this juncture, Councillor Cec Dorrington joined the meeting, the time being 9.56am.

16 COMMUNITY ENGAGEMENT DEPARTMENT

Nil

17 TOURISM & EVENTS

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE

Nil

21 ACTIVITY REPORTS

21.1 ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS COMPLETED

File Number: E7.1

The Council had before it the report of the Manager Roads regarding the Engineering Services Road Works & Workshop - Works Completed.

Resolution 2021/244

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Monday, 23 August 2021.

Carried

21.2 PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER ENGINEERING SERVICES ACTIVITY REPORT

File Number: E7.1

The Council had before it the report of the Manager Works regarding the Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report.

Resolution 2021/245

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That Council note the information in the Parks & Gardens, Town Services and Water and Waste Water Engineering Services Department Activity Reports as presented to Council on Monday, 23 August 2021.

Carried

21.3 ENVIRONMENTAL SERVICES DEPARTMENT - ACTIVITY REPORT

File Number: D3.1-A11.1-A8.1

The Council had before it the report of the Manager Environmental Services regarding the Environmental Services Department - Activity Report.

Resolution 2021/246

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the information in the Environmental Services Activity Report as presented to Council on Monday, 23rd August 2021 be received and noted.

Carried

21.4 GENERAL MANAGER'S ACTIVITY REPORT

File Number: G2.1

The Council had before it the report of the General Manager regarding the General Manager's Activity Report.

Resolution 2021/247

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the information in the General Manager's Activity Report as presented to Council on Monday, 23 August 2021 be noted.

Carried

21.5 LIBRARY MANAGER'S ACTIVITY REPORT

File Number: L4.1

The Council had before it the report of the Library Manager regarding the Library Manager's Activity Report.

Resolution 2021/248

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the information in the Library Manager's Report as presented to Council on Monday, 23 August 2021 be noted.

Carried

21.6 TOURISM & EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.1

The Council had before it the report of the Manager Tourism & Events regarding the Tourism & Events Manager's Activity Report.

Resolution 2021/249

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 23 August 2021 be noted.

Carried

22 CLOSED SESSION

At this juncture, the Council gave consideration to moving into Closed Session of Council.

Resolution 2021/250

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

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:

22.1 * Tender for Supply of Two (2) 120-130 HP Tractors 06/22**

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.

22.2 * Tender for One (1) 70-80 HP Skid Steer Loader 08/22**

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.

22.3 * Supply and Delivery of Two (2) Rideon Mowers Tender 09/22**

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.

22.4 * Tender Bourke 973776 - 03/22 Supply of (1) Dual Control Suction Sweeper**

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.

22.5 * Supply and Delivery of One (1) 4 x 2 Rigged Maintenance Service Truck 05/22**

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.

22.6 * Tender for Provision of Tree Maintenance T142122OROC**

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.

22.7 * Display enhancement Back O' Bourke Exhibition Centre**

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.

22.8 * Outstanding Rates and 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.

22.9 * Mayoral Minute - General Manager Recruitment**

This matter is considered to be confidential under Section 10A(2) - (a) 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 personnel matters concerning particular individuals (other than councillors).

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 9.58am

22.1 * TENDER FOR SUPPLY OF TWO (2) 120-130 HP TRACTORS 06/22**

Resolution 2021/251

Moved: Cr Robert Stutsel

Seconded: Cr Lachlan Ford

- 1. That Council resolves to purchase two (2) New John Deere 6125M Tractors from Hucheon and Pearce Operations for \$240,727.26**
- 2. Council resolves to trade Council's two (2) John Deere Tractors Plant No's 65 & 72 to Pickles Auctions for \$75,000.00 for a change over price of \$165,727.26.**
- 3. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

22.2 * TENDER FOR ONE (1) 70-80 HP SKID STEER LOADER 08/22**

Resolution 2021/252

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

- 1. That Council resolves to purchase the Case SR42B Skid Loader from Earthmoving Equipment Australia for \$79,650.0 and sell Council's Case Skid Steer Loader Plant no 130 to Pickles Auctions for a changeover price of \$59,650.00.**
- 2. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

22.3 * SUPPLY AND DELIVERY OF TWO (2) RIDEON MOWERS TENDER 09/22**

Resolution 2021/253

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

That Council resolves to purchase the two (2) mowers from Scone Outdoors that being

- (1) The Toro GM 360 4WD Quad Steer belly mounted mower from Scones Outdoors for a changeover price of \$34,999.09.**
- (2) The Toro Groundmaster 3300 Outfront mower from Scone Outdoors for a changeover price of \$33,782.73.**

Carried

22.4 * TENDER BOURKE 973776 - 03/22 SUPPLY OF (1) DUAL CONTROL SUCTION SWEEPER**

Resolution 2021/254

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

- 1. That the tender submitted by Rosmech Sales and Service PTY LTD for the supply of a Scarab Mistral with the Hino FE 1426 truck, and trade of Council's old Rosmech Mistral and Hino Truck Plant No57, for a changeover price of \$221,027.28 be accepted**
- 2. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

22.5 * SUPPLY AND DELIVERY OF ONE (1) 4 X 2 RIGED MAINTENANCE SERVICE TRUCK 05/22**

Resolution 2021/255

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

That Council resolves to accept the tender from Tracserv of Dubbo for the Isuzu FSR 140-260 LWB with Obieco body and optional Rear Airbag Suspension for a Changeover price of \$188,594.55

Carried

22.6 * TENDER FOR PROVISION OF TREE MAINTENANCE T142122OROC**

Resolution 2021/256

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

That Council Resolves to accept the Two Recommendations from the Regional Procurement Evaluation Panel:

- 1. That the best fit for purpose tenderers be awarded this contract as the Panel Source suppliers to Bourke Shire Council for the period 1 October 2021 to 30 September 2023, and**
- 2. That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 September 2024.**
- 3. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

Resolution 2021/257

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

1. That in accordance with section 55 (3) (i) of the Local Government Act 1993, Council not invite tenders for the development and installation of creative displays at the Back O' Bourke Exhibition Centre on the basis that inviting tenders will not achieve a satisfactory result in so far as:
 - (a) the remoteness of Bourke's locality significantly limits the potential number of suitably qualified contractors in the marketplace who have both the capacity to work in a remote location and who also have a knowledge of the local tourism sector;
 - (b) the need for new displays to successfully integrate with existing displays;
 - (c) the existing suppliers have a track record of successfully delivering previous display projects at the Centre; and
 - (d) Changing service providers at this point would be both costly and time consuming for the operations of the Centre.
 - (e) the relatively short project completion time-frame.
2. That Ample Projects be engaged to lead the creative development, project manage, develop the content and liaise with builders for the display upgrade project at the Back O' Bourke Exhibition Centre at a cost of approximately \$491,000.00 (ex GST)
3. That Show Works Creative Solutions be engaged to lead the construction of the display upgrade project at the Back O' Bourke Exhibition Centre at a cost of approximately \$360,750.00 (Ex GST).
4. That the General Manager be delegated authority to enter into direct negotiations with Ample Projects and Show Works Creative to finalise project prices and then enter into the necessary contracts.
5. That the documents and consideration in respect of this matter remain confidential to Council.

Carried

22.8 * OUTSTANDING RATES AND CHARGES**

Resolution 2021/258

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

- 1. That Council notes the report on Outstanding Rates and Charges, Water Billing charges and Sundry Debtor account owed to Council as at 30 June 2021.**
- 2. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

22.9 * MAYORAL MINUTE - GENERAL MANAGER RECRUITMENT**

Resolution 2021/259

Moved: Cr Lachlan Ford

Seconded: Cr Robert Stutsel

- 1. That Council amend the General Manager Recruitment Timetable such that the recruitment process commences in February 2022 with a view to a new General Manager commencing in May/June 2022 with the process being undertaken by the new Council elected in December 2021.**
- 2. That the Mayor be authorised to take the necessary action such that Council proceeds with a process, as provided in the Mayoral Minute and as concurred with by the Office of Local Government, to engage a short term General Manager from 7 February 2022 for a period of between 3-5 months, with the actual term of the appointment being linked to the commencement date of the long term General Manager.**
- 3. That a report recommending a person to undertake the short term role of General Manager be provided to Council prior to the 5 November 2021 Caretaker Mode date**
- 4. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

Resolution 2021/260

Moved: Cr Robert Stutsel

Seconded: Cr Ian Cole

That Council moves out of Closed Council into Open Council.

Carried

Open Council resumed at 10.16am

RESOLUTIONS FROM CLOSED SESSION OF COUNCIL

At the request of the Mayor, the General Manager read to the meeting the Councils resolutions as determined in the Closed Session of Council.

The Meeting closed at 10.20am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 September 2021.


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CHAIRPERSON

9 NOTICE OF MOTION

9.1 NOTICE OF MOTION - ESTABLISHING A FULL TIME BANKING SERVICE IN BOURKE

File Number: B2.1,

Attachments: 1. Notice of Motion  

I, Councillor Robert Stutsel, give notice that at the next Ordinary Meeting of Council to be held on 27 September 2021, I intend to move the following motion:

Background

Whilst acknowledging that eventually, Australia may become a cashless society and that the need for retail banking service is diminishing, nevertheless in 2021 there is a need for a five day a week, office hours banking service to meet the needs of the Bourke community, for the foreseeable future.

The present system where the NAB is only open Monday and Tuesday and the Commonwealth Bank of Australia cutting its hours is most inconvenient to the business community but as well as the community at large.

Points to note:

- a percentage of Bourke residents have a reluctance to engage technology because of the unknown and fear,
- a percentage of Bourke residents although willing to engage technology do not have the confidence, the formal education or are fearful of fraud,
- business still need to deal in cash, need cash change floats and need to bank excess cash on more than a once a week basis,
- the need for businesses to unnecessarily carry large sums of cash creates the likelihood of break, enter and steals, robbery etc.
- several opening hours per week and hence several working hours per week is insufficient to sustain a workforce and hence attracting long term employees is almost impossible.
- fewer opening hours and work hours leads to an untrained work force and as such leads to many mistakes being made by casual staff.
- many local sporting and charitable organisations use old fashioned cheques as a means of financial traceability and accountability. Even though there are electronic alternatives, the people are reluctant to go down that path.
- Post Offices can provide some banking services but generally they are not an alternative to a real bank.

Motion

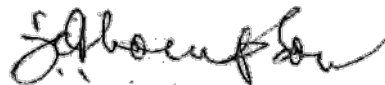
That inquiries be made with a view to establishing a full time, full service banking service for Bourke.

MOTION ON NOTICE

"that inquiries be made with a view to establishing a full time, full service banking service for Bourke"



Moved: Cr Robert STUTSEL



Seconded Cr. John Cranston Thompson

BACKGROUND:-

Whilst acknowledging that eventually, Australia may become a cashless society and that the need for a retail banking service is diminishing, nevertheless in 2021 there is a need for a five day a week, office hours banking service to meet the needs of the Bourke community, for the foreseeable future.

The present system where the NAB is only open Monday and Tuesday and the Commonwealth Bank of Australia cutting its hours is most inconvenient to the business community but as well as the community at large.

Points to note:-

- a percentage of Bourke residents have a reluctance to engage technology because of the unknown and fear,
- a percentage of Bourke residents although willing to engage technology do not have the confidence, the formal education or are fearful of fraud,
- businesses still need to deal in cash, need cash change floats and need to bank excess cash on more than a once a week basis.
- the need for businesses to unnecessarily carry large sums of cash creates the likelihood of break, enter and steals, robbery etc.
- several opening hours per week and hence several working hours per week is insufficient to sustain a workforce and hence attracting long term employees is almost impossible,
- fewer opening hours and work hours leads to an untrained work force and as such leads to many mistakes being made by casual staff.
- many local sporting and charitable organisations use old fashioned cheques as a means of financial traceability and accountability. Even though there are electronic alternatives, the people are reluctant to go down that path.
- Post Offices can provide some banking services but generally they are not an alternative to a real bank.

10 RESCISSION MOTION

Nil

11 BUSINESS ARISING

11.1 * BUSINESS ARISING**

File Number: C12.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Business outstanding from previous meetings.

Current Situation

KEY: Action Still Pending Action in Progress Action Complete

GM GENERAL MANAGER	MW MANAGER WORKS
MCS MANAGER CORPORATE SERVICES	MRS MANAGER ROAD SERVICES
MES MANAGER ENVIRONMENTAL SERVICES	EDM ECONOMIC DEVELOPMENT MANAGER

362/2018	BIODIVERSITY CONSERVATION ACT 2016 - UPDATE
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY - MANAGER ENVIRONMENTAL SERVICES
FILE NUMBER	E6.1-E6.4-L8.1

DECISION	ACTION TAKEN
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	Continue to lobby. Government – matter evolving.

427/2018	PROPOSED CHANGE OF MANAGEMENT OF THE PCYC
RESPONSIBLE OFFICER	MARK RILEY - GENERAL MANAGER
FILE NO	L1.17-Y1.7-LD-L11.14.3

DECISION	ACTION TAKEN
That the General Manager prepare a detailed report in relation to the matter, including the seeking of legal advice if necessary	1. In progress. 2. Teleconference held 20/08/2020. 3. Correspondence sent to PCYC 25/8/20 and followed up for response 20/10/20 & 16/11/2020. 4. Matter further discussed with Crown Lands staff on 09/03/2021 for their contact with PCYC. 5. Further discussions held in July 2021 with Crown Lands in regards to their

	contact with PCYC with correspondence sent to PCYC as a follow up to discussions.
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156/2019	CONFIDENTIAL – CONSTRUCTION OF SEWERAGE TREATMENT PLANT FACILITIES
RESPONSIBLE OFFICER	LEONIE BROWN - MANAGER OF CORPORATE SERVICES 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	<ol style="list-style-type: none"> 1. Ongoing. 2. Water use study near completion. Will then make application for additional funding.

274/2019	DROUGHT – WATER UPDATE
RESPONSIBLE OFFICER	LEONIE BROWN - MANAGER OF CORPORATE SERVICES
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	<ol style="list-style-type: none"> 1. Letter sent & meeting held. 2. State Government commits to preparation of Western Weirs Strategy. 3. Teleconference involving staff and Councillors held with State Water on 22/9/2020 re Strategy. 4. Meeting held with DPIE representatives on 10/11/2020 & 11/11/2020. 5. Further briefings on Strategy held 10/02/2021 and 24/05/2021. 6. Discussions held by GM with Jim Betts in July 2021 Secretary, DPIE, in regards to the Weir Strategy Project and its prolonged timeframes.

2020/111	DUAL NAMING OF THE DARLING RIVER – DARLING RIVER BAAKA
RESPONSIBLE OFFICER	LEONIE BROWN – MANAGER OF CORPORATE SERVICES
FILE NO	R6.5
DECISION	ACTION TAKEN
That Council seek further clarification from the GNB 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.	<p>Ongoing. Geographical Names Board GNB contacted.</p> <p>Investigations are continuing by GNB. GNB advised in July 2021 that it would be undertaking consultation in August 2021 in regards to dual name proposal.</p>

	GNB subsequently advised in August that due to COVID the consultations will now be undertaken in 2022
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2020/236	14.2 BOURKE AIRPORT DEVELOPMENT PROPOSAL
RESPONSIBLE OFFICER	MARK RILEY - GENERAL MANAGER
FILE NO	A6.1
DECISION	ACTION TAKEN
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.	Brief prepared, quotations to be invited.

2020/320	14.2 LEP AMENDMENT UNDER S3.22
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY – MANAGER ENVIRONMENTAL SERVICES
FILE NO	T5.3
DECISION	ACTION TAKEN
Council request the NSW Minister for Planning and Public Spaces to rezone Lot 62 DP 1027306 from SP2 Infrastructure to IN1 General Industrial in accordance with the provisions of Sections 3.22 of the Environmental Planning and Assessment Act 1979.	Further report to be brought back to Council late-2021.

2020/325 & 326	REVIEW OF CAPITAL WORKS PROGRAM 2019/2020 AND REALLOCATION OF FUNDS – ITEM 15.5 - MOUNT OXLEY
RESPONSIBLE OFFICER	MARK RILEY – GENERAL MANAGER
FILE NO	R2.5
DECISION	ACTION TAKEN
<ol style="list-style-type: none"> 1. That Council note the report on the responsibility and current condition of the access road to the summit of Mount Oxley. 2. That Council note the status of telecommunication infrastructure located atop Mount Oxley. 3. That following a Title Search discussions be held with the owners of the land and the various owners of the telecommunications infrastructure atop Mount Oxley with a view to sourcing funding for at least the \$80,000 in maintenance work and potentially a further \$110,000 for the guard rail installation, for a further report to Council including consideration to any contribution by Council. 4. That Council investigate its potential liability as a result of the public use of the access road to the top of Mount Oxley and a report be submitted back to Council. 	<p>Extensive title searches have been completed.</p> <p>Liability issues being pursued by Booth Brown Legal for further report.</p> <p>Meeting held with Mr & Mrs Stalley on 10 December 2020.</p> <p>Risk review undertaken by Councils insurers on 16/03/21. Awaiting advice to allow instructions to be issued by Booth Brown Legal to prepare licence documentation.</p> <p>Discussions held with NSW Telco Authority re potential for funding to assist with road upgrade. Costs advised.</p>

2019/439 & 2021/33	NORTH BOURKE BRIDGE REHABILITATION CONCEPT PLAN
RESPONSIBLE OFFICER	MARK GORDON – MANAGER ROAD SERVICES
FILE NO	B6.1
DECISION	
Council continue to apply for funding to undertake the project	1. Ongoing.
Council commit additional funds of \$269,922 from Councils Infrastructure Reserve Fund to ensure a total co-contribution from Council of \$969,922 (25%) to the Building Better Regions Fund Round 5, for North Bourke Bridge Renewal, if a funding application is successful.	2. Letter received from Minister Toole 11/11/2020 advising upcoming funding opportunities for bridge.
	3. Funds as resolved reserved in Councils accounts.
	4. Applications under Building Better Regions Fund lodged 11/02/2021.
	5. Strategy prepared for investigation, assessment and restoration of bridge for input into Tourism Grant Application.
	6. Application lodged in August 2021.

2021/49	22.1 *** DEED OF AGREEMENT - CAPRA PTY LTD - PROPOSED SALE OF SMALL STOCK ABATTOIR - FEBRUARY 2021 UPDATE
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	A1.1-D2.7-D2.17
DECISION	
Council make further contact with the Commonwealth in late May 2021 in respect of the funding agreement.	1. Contact made mid May 2021 with Marsdens Legal to progress contact with both CAPRA and then Commonwealth.
	2. Report on matter submitted June 2021 Council Meeting.
	3. Awaiting response from Commonwealth in regards to Councils June 2021 letter regarding Funding Agreement.

2021/134	22.1 *** TENDER – BOURKE WATER RESERVOIR RECONSTRUCTION
RESPONSIBLE OFFICER	PETER BROWN, MANAGER WORKS
FILE NO	G4.7.79-W2.2
DECISION	
1. That the tender submitted by Brockman Engineering P/L in the amount of \$2,312,141.00 (ex GST) be accepted for the Design and Construction of the Charles Street Reservoir Replacement Project in Bourke.	1. Formal letter of acceptance provided to contractor.
2. That in awarding the tender to Brockman Engineering P/L Council does so jointly and severally between Brockman Engineering P/L and EVZ Limited.	2. Work to commence in August 2021.
3. That the documents and considerations in respect of this matter remain confidential to Council.	3. Additional funding of \$520,000 received from State Government in July 2021.
	4. Work delayed till March 2022 due to COVID concerns.
	5. Procurement of steel to contractor proceeding.

2021/179	*** Sale of Land - North Bourke
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	
DECISION	
That Council proceed to sell to Mr Scott and Mrs Paula Parry, Lot 61 DP 1027306 North Bourke That any necessary documents be executed under the Common Seal of Council.	<ol style="list-style-type: none"> 1. Purchaser advised of Councils resolutions. 2. Councils solicitor requested to prepare contract with a view to exchanging Contracts 3. Contract prepared and executed by Council.

2021/197	ANNUAL CONFERENCE OF LOCAL GOVERNMENT NEW SOUTH WALES 28-30 NOVEMBER
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	
DECISION	
<ol style="list-style-type: none"> 1. That having regard to the Local Government Elections being postponed until 4 December 2021, the Mayor, Deputy Mayor and General Manager, or their nominees, be authorised to attend the 2021 LGNSW Annual Conference once the conference date is confirmed. 2. That Councillors be invited to submit motions to the General Manager for potential consideration at the 2021 LGNSW Conference. 3. That the Mayor, Deputy Mayor and General Manager be delegated authority to determine the submission of motions to the Conference or amend motions as required. 4. That any Councillors wishing to attend the LGNSW Annual Conference are requested to advise the General Manager so that the necessary arrangements can be secured. 	<ol style="list-style-type: none"> 1. Awaiting advice re date of Conference. 2. Virtual Conference to meet statutory requirements to be held on 29 November 2021.

2021/198	FINAL MEETING OF COUNCIL ELECTED SEPTEMBER 2016
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	C12.1
DECISION	
That having regard to the Local Government Elections being postponed until 4 December 2021, the General Manager be requested to take the necessary action in regard to	Action to be taken as required.

arrangements for a final dinner and a photograph to recognise the Bourke Council for the period 2016-2021, at the appropriate time.	
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2021/242	ADDITIONAL REVIEW OF OPERATIONAL PLAN 2020/2021 AND REALLOCATION OF FUNDS
RESPONSIBLE OFFICER	LEONIE BROWN, MANAGER CORPORATE SERVICES
FILE NO	F1.1, F1.3

DECISION

That Council adopts the recommendation to amend the capital costs planned for 2020/2021 as detailed in the report and revote the expenditure to the Operational Plan for 2021/2022.	For inclusion in the September Operational Plan Review
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2021/259	MAYORAL MINUTE - GENERAL MANAGER RECRUITMENT
RESPONSIBLE OFFICER	BARRY HOLLMAN, MAYOR
FILE NO	S6.24

DECISION

<p>That Council amend the General Manager Recruitment Timetable such that the recruitment process commences in February 2022 with a view to a new General Manager commencing in May/June 2022 with the process being undertaken by the new Council elected in December 2021.</p> <p>That the Mayor be authorised to take the necessary action such that Council proceeds with a process, as provided in the Mayoral Minute and as concurred with by the Office of Local Government, to engage a short term General Manager from 7 February 2022 for a period of between 3-5 months, with the actual term of the appointment being linked to the commencement date of the long term General Manager.</p> <p>That a report recommending a person to undertake the short term role of General Manager be provided to Council prior to the 5 November 2021 Caretaker Mode date</p>	<ol style="list-style-type: none"> 1. Letter of engagement provided to LGMS 2. Matter proceeding 3. Report to be presented to October 2021 Council Meeting.
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Recommendation
That the information in the Business Arising Report as presented to Council on Monday, 27 September 2021 be noted.

11.2 CALENDAR OF EVENTS

File Number: C12.6
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Information is 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, are to be held.

Current Situation

Month	Date	Time	Meeting / Event	Location
2021				
September	27	9.15am	Council Meeting	Council Chamber
October	25	9.15am	Council Meeting	Council Chamber
November	22	9.15am	Council Meeting	Council Chamber
December	04		Council Elections	

Recommendation

That the information in the Calendar of Events Report as presented to Council on Monday, 27 September 2021 be noted.

11.3 INFORMATION TO COUNCILLORS

File Number: C12.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

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

Current Situation

Date	Information Sent	Author	Email
19/08/2021	Government News	Government News	✓
19/08/2021	WNSWLHD COVID – 19 Daily Update	WNSWLHD	✓
19/08/2021	WNSWLHD COVID -19 Media Release	WNSWLHD	✓
20/08/2021	The Weekly Newsletter	LG NSW	✓
20/08/2021	WNSWLHD MR ADF Vaccination Clinics	Scott McLachlan	✓
20/08/2021	Priority vaccination appointments for ages 16-39	NSW Government	✓
20/08/2021	GoTo Meeting Invitation – Test Meeting	Damian Slack-Smith	✓
20/08/2021	Inside Local Government	Inside Local Government	✓
20/08/2021	Government News	Government News	✓
20/08/2021	WNSWLHD COVID-19 Media Release	WNSWLHD	✓
20/08/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
23/08/2021	WNSWLHD Pop Up COVID Vaccination Clinic	WNSWLHD	✓
23/08/2021	WNSW PHN Update	WNSW PHN	✓
23/08/2021	WNSWLHD COVID-19 Media Release	WNSWLHD	✓
23/08/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
23/08/2021	Inside Local Government	Inside Local Government	✓
24/08/2021	WNSWLHD COVID-19 Media Release	WNSWLHD	✓
24/08/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
24/08/2021	The Weekly	LG NSW	✓
25/08/2021	WNSWLHD Pop Up Clinic Brewarrina	WNSWLHD	✓
25/08/2021	Newsletter – Message from Minister Hancock	OLG	✓
25/08/2021	WNSWLHD COVID-19 Media Release	WNSWLHD	✓
25/08/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
26/08/2021	WNSWLHD COVID-19 Media Release	WNSWLHD	✓
26/08/2021	Inside Local Government	Inside Local Government	✓

26/08/2021	Inside Local Government	Inside Local Government	✓
30/08/2021	Weekly Newsletter	RDA – Orana NSW	✓
30/08/2021	Toyota Tour de OROC change of date	Tour de OROC	✓
30/08/2021	WNSWLHD COVID-19 Media Release 29 August	WNSWLHD	✓
30/08/2021	WNSWLHD COVID-19 Daily Update 29 August	WNSWLHD	✓
30/08/2021	Fortnightly Newsletter	OLG	✓
31/08/2021	Council e-news	Council e-news	✓
31/08/2021	Inside Local Government	Inside Local Government	✓
31/08/2021	Import COVID-19 updates	NSW Government	✓
31/08/2021	COVID-19 Council Update	OLG	✓
31/08/2021	NSW Health COVID-19 Key Points	NSW Government	✓
31/08/2021	Electorate of Parkes E-news	The Hon Mark Coulton MP	✓
31/08/2021	WNSWLHD COVID-19 Media Release 29 August	WNSWLHD	✓
31/08/2021	2021 Election Deputy Mayor – North Sydney Council	Ian Curry	✓
01/09/2021	Newsletter Outback Arts	Outback Arts	✓
01/09/2021	Message from Minister Hancock	OLG	✓
01/09/2021	GM’s Column 2 September 2021	GM	✓
01/09/2021	WNSWLHD COVID-19 Update	WNSWLHD	✓
01/09/2021	NSWICC August Newsletter	NSW Indigenous Chamber of Commerce	✓
01/09/2021	The Weekly	LGNSW	✓
01/09/2021	Public Health Alert – New Venues of Concern	WNSWLHD	✓
02/09/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
02/09/2021	Bathurst and Orange joint vaccination operation	WNSWLHD	✓
02/09/2021	Weekly Newsletter	RDA-Orana	✓
02/09/2021	Council Circular 21-27 Review of the tendering provisions of the local Government (General) Regulation 2005	NSW OLG	✓
03/09/2021	WNSWLHD Public Health Alert – New Venues of Concern	WNSWLHD	✓
03/09/2021	WNSWLHD Media Release COVID-19 Update	WNSWLHD	✓
03/09/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
04/09/2021	WNSWLHD Media Release COVID-19 Update	WNSWLHD	✓
04/09/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
04/09/2021	WNSWLHD Public Health Alert – New Venues of Concern	WNSWLHD	✓
05/09/2021	WNSWLHD Media Release COVID-19 Update	WNSWLHD	✓
05/09/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓

06/09/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
07/09/2021	Council e-news	Council e-news	✓
07/09/2021	Government News	Government News	✓
07/09/2021	Inside Local Government	Inside Local Government	✓
07/09/2021	Message from Minister Hancock	OLG	✓
07/09/2021	Election of Deputy Mayor – Port Macquarie-Hastings Council	Linda Kocis	✓
07/09/2021	WNSWLHD COVID-19 Daily Update	WNSWLHD	✓
08/09/2021	GM's Desk 9 September 2021	GM	✓
08/09/2021	Media Release NSW Farmers	NSW Farmers	✓
08/09/2021	The Weekly	LG NSW	✓
08/09/2021	WNSWLHD COVID – 19 Update	WNSWLHD	✓
09/09/2021	WNSWLHD COVID – 19 Daily Update	WNSWLHD	✓
09/09/2021	Newsletter COVID -19 Council Update	OLG	✓
09/09/2021	Dubbo Regional Council – Election of Mayor and Deputy Mayor	DRC	✓
10/09/2021	Mayoral Representation following local government elections	LG NSW	✓
10/09/2021	WNSWLHD Super Saturday Vaccination	WNSWLHD	✓
10/09/2021	WNSWLHD COVID – 19 Update	WNSWLHD	✓
10/09/2021	WNSWLHD COVID – 19 Daily Update	WNSWLHD	✓
10/09/2021	Weekly Newsletter	RDA	✓
10/09/2021	All Borders update	NSW Government	✓
10/09/2021	Inside Local Government	Inside Local Government	✓
13/09/2021	WNSW PHN Newsletter	WNSW PHN	✓
13/09/2021	WNSWLHD COVID – 19 Update	WNSWLHD	✓
13/09/2021	WNSWLHD COVID – 19 Daily Update	WNSWLHD	✓
14/09/2021	NSW Wild Dog Fence Extension Project	Western Local Land Services	✓
14/09/2021	Government New	Government News	✓
14/09/2021	OLG Fortnightly Newsletter	OLG	✓
14/09/2021	Inside Local Government	Inside Local Government	✓
14/09/2021	Council Circular 21-29 Use and Management of Credit Cards	OLG	✓
14/09/2021	Council Magazine	Council Magazine	✓
14/09/2021	Government News	Government News	✓
14/09/2021	NSW Health Media Release	WNSWLHD	✓
14/09/2021	WNSWLHD COVID – 19 Update	WNSWLHD	✓
15/09/2021	WNSWLHD vaccination rate increases	WNSWLHD	✓

15/09/2021	NSW Health Media Release	WNSWLHD	✓
15/09/2021	WNSWLHD COVID – 19 Daily Update	WNSWLHD	✓
16/09/2021	WNSWLHD COVID – 19 Update	WNSWLHD	✓
16/09/2021	WNSWLHD/ADF Vaccination Extended through October	WNSWLHD	✓
18/09/2021	WNSWLHD COVID – 19 Update	WNSWLHD	
19/09/2021	WNSWLHD – Health Media Release Update	WNSWLHD	
19/09/2021	WNSWLHD COVID – Daily Update	WNSWLHD	
19/09/2021	WNSWLHD – Confirmed Case – Cowra	WNSWLHD	
20/09/2021	Inside Local Government	Inside Local Government	✓
20/09/2021	Government News	Government News	✓
20/09/2021	Inside Local Government	Inside Local Government	✓
20/09/2021	COVID -19 Update –Restrictions eased in local government areas of concern	NSW Government	✓
20/09/2021	WNSW PHN Newsletter	WNSW PHN	✓
20/09/2021	WNSWLHD COVID-19 Update	WNSWLHD	✓
20/09/2021	Media Alert – NSW Farmers	NSW Farmers	✓
21/09/2021	Council e-news	Council e-news	✓
21/09/2021	Media Release – NSW Farmers	NSW Farmers	✓
21/09/2021	Roy Butler Member for Barwon Newsletter	Roy Butler MP	✓
21/09/2021	Government News	Government News	✓
21/09/2021	WNSWLHD Surveillance Testing	WNSWLHD	✓
21/09/2021	Inside Local Government	Inside Local Government	✓
21/09/2021	WNSWLHD COVID -19 Daily Update	WNSWLHD	
22/09/2021	GM’s Desk	GM	
22/09/2021	The Weekly	LG NSW	
22/09/2021	COVID – 19 Council Update	OLG	
22/09/2021	Latest COVID -19 Update	NSW Government	
22/09/2021	NSW Health Media Release COVID -19 Update	WNSWLHD	
22/09/2021	Inside Local Government	Inside Local Government	
22/09/2021	COVID – 19 Update Freight Industry	NSW Government	
22/09/2021	WNSWLHD COVID -19 Daily Update	WNSWLHD	

Recommendation
That the contents of the Information to Councillors Report as presented to Council on Monday, 27 September 2021 be noted.

12 ENGINEERING SERVICES DEPARTMENT

Nil

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT**13.1 *** PLAN OF DEVELOPMENT DAVIDSON OVAL PRECINCT****File Number:** P1.5**Author:** Dwayne Willoughby, Manager Environmental Services**Authoriser:** Mark Riley, General Manager**Attachments:** Nil**Background**

At the May 2021 Ordinary meeting of Council, a report was presented regarding funding from Round four (4) of the NSW Government Stronger Country Communities Program. At the meeting Council endorsed the proposal to apply for funding under Round four (4) of the Stronger Country Communities Fund for the following projects:

- Project 1 – Female Change Rooms at Davidson Oval
- Project 2 – Female Jockey Rooms at J.B. Renshaw Sporting Complex

Council also recommended that Council staff investigate an opportunity to develop a Masterplan for the Davidson Oval Precinct. The current facilities, particularly the grandstand have reached their useful life, and an opportunity to improve all the infrastructure at the precinct would be included in the Masterplan.

Current Situation

Staff have made contact with two (2) consultants to provide detail of costs and timeframes to provide a detailed Masterplan advice is yet to be received back. Details provided to the consultant include the construction of a new single-story multipurpose clubhouse with change rooms, storage facilities, kitchen/canteen, first aid room, bathrooms and grandstand seating for 200 people. It is anticipated that the proposed development be located on the site where the existing grandstand, change rooms Canteen and toilets currently stand.

The Masterplan will be developed with extensive consultation with by Council with stakeholders, users and the wider Bourke community. The space will be enjoyed by many community members including sporting players, residents and school children.

A shovel ready Masterplan will assist with funding application as they become available, and will support the application process through the community consultation process.



Financial Implications

The cost to develop the Masterplan is estimated to be \$40,000. These costs are available within Infrastructure Renewal Reserve fund that was set up to fund infrastructure upgrades a number of years ago.

Recommendation

1. That Council endorse the Masterplan development for the Davidson Oval precinct.
2. That Council approve the expenditure of circa \$40,000 from the Infrastructure Renewal Reserve for the development of the Masterplan.

13.2 CROWN LAND DRAFT PLANS OF MANAGEMENT

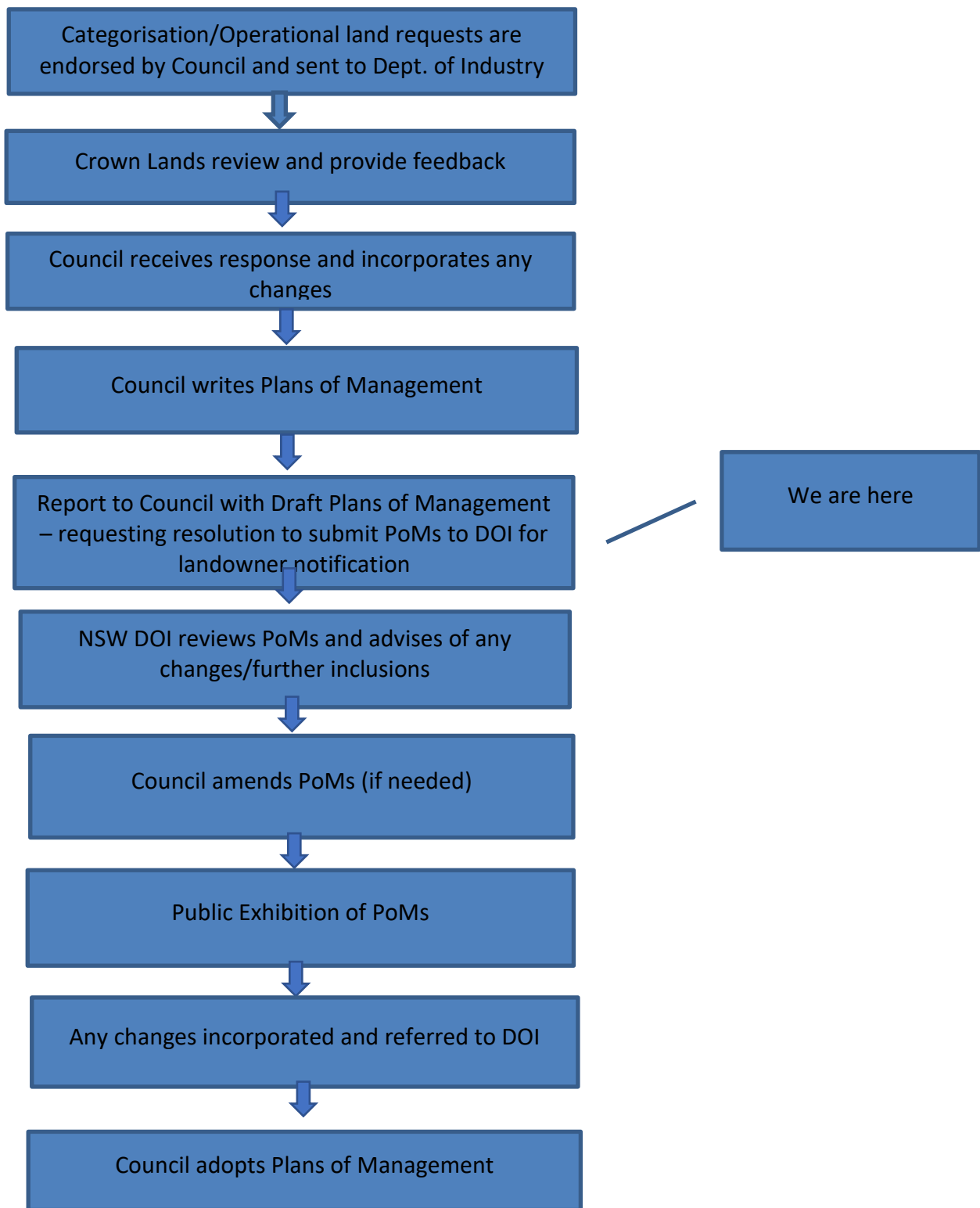
- File Number:** L1.9
- Author:** Dwayne Willoughby, Manager Environmental Services
- Authoriser:** Mark Riley, General Manager
- Attachments:**
1. Draft Bourke Generic PoM [↓](#) 
 2. Draft Yantabulla Cemetery PoM [↓](#) 

Background

This report presents two (2) Plans of Management covering the Crown Reserves which Council now manages on behalf of the Crown. Previously Council has resolved to categorise the reserves into one or a number of categories in accordance with the Local Government Act. Following endorsement by Crown Lands of the categories proposed, the Plans have now been written and are presented here for Council resolution to refer the Draft Plans to the NSW Department of Industry.

Section 3.23(6) of the Crown Land Management Act requires council managers to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown land Manager, and is classified as 'community land' under the Local Government Act. Council has sought approval from Crown Lands for the categorisations previously endorsed by Council. These were approved and so Council has progressed with drafting the required Plans. Under the above Acts, Plans of Management can be drafted for a single reserve or for multiple reserves in a 'Generic Plan'.

The following flowchart shows the Plan of Management process.



Current Situation

Following receipt of approved reserve categorisations from Crown Lands, the reserves were grouped according to their category under the Local Government Act. The following generic plans have been drafted. It should be noted that as Plans of Management are required for all community land, Council-owned community lands have been included in the Plans below.

Generic Plans of Management

- General Community Use
- Parks and Sportsgrounds
- Area of Cultural Significance

The plans have been drafted in accordance with the Local Government Act 1993 and Crown Land Management Act 2016. User groups at the reserves were invited to provide initial comments on future plans they may have for their community/sporting group. Many of these gave feedback which has been incorporated into the plans. These groups will again be given the opportunity to comment and provide further feedback at the consultation/public exhibition stage.

A Native Title report has been included in each of the Plans. Advice from Council's Native Title Manager is required prior to a plan of management being submitted to the Dept. of Industry (Crown Lands) for approval (s.8.7 CLM Act 2016).

Financial Implications

Nil – Council received financial assistance from NSW Crown Lands to complete the Plans of Management.

Legal and Regulatory Compliance

Local Government Act 1993

Crown Land Management Act 2016

Native Title Act 1993

Associated guideline documents under these Acts.

Risk Management Issues

Any potential risks are lessened with the Department of Industry (Crown Lands) playing an overseeing role.

Internal/ external Consultation

External consultation with Shire community and sporting groups
Crown Lands

Recommendation

That Council:

- (1) Endorse the following Draft Plans of Management and refer them to the Department of Industry (Crown Lands) for landowner notification, and
 - Draft Generic Plan of Management – Bourke Shire Council
 - Draft Plan of Management – Yantabulla Cemetery
- (2) Pending changes recommended by the Department of Industry, the Plans be placed on public exhibition in accordance with the requirements of the Local Government Act.

DRAFT GENERIC PLAN OF MANAGEMENT CROWN RESERVES



2021

BOURKE SHIRE COUNCIL



GENERIC PLAN OF MANAGEMENT CROWN RESERVES

This generic Plan of Management was prepared for Bourke Shire Council in accordance with the requirements of the Crown Land Management Act 2016 and the Local Government Act 1993 and associated Regulations.

This document relies upon information taken at or under the particular time and/or conditions specified herein.

Any representation, statement, opinion or advice, expressed or implied in this publication is made in good faith, however, on the basis that Ward Planning and Consulting, its agents and employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any representation, statement, or advice referred to herein. Bourke Shire Council has contributed to the content of this Plan and so the above disclaimer also extends to Council and its contributors. Changes to available information, legislation and schedules are made on an ongoing basis and readers are advised to obtain up to date information from www.legislation.gov.au or www.bourke.nsw.gov.au

Any finding, conclusion or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the client

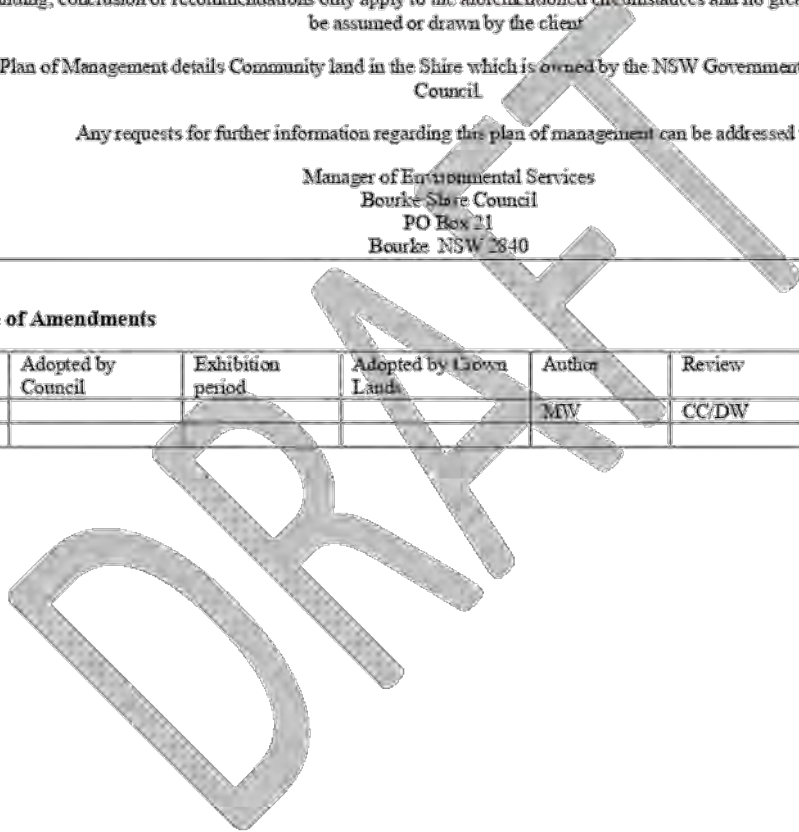
This Plan of Management details Community land in the Shire which is owned by the NSW Government and managed by Council.

Any requests for further information regarding this plan of management can be addressed to:

Manager of Environmental Services
Bourke Shire Council
PO Box 21
Bourke NSW 2840

Table of Amendments

No	Adopted by Council	Exhibition period	Adopted by Crown Land	Author	Review
1				MW	CC/DW
2					



GENERIC PLAN OF MANAGEMENT CROWN RESERVES

Acknowledgements

Ward Planning and Consulting acknowledges and pays respect to the past, present and emerging Traditional Custodians and Elders of the Barkindji, Bardaji, Murrawari, Ngemba and Nyirpa people as resident in various parts of the Bourke Shire and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

Ward Planning and Consulting also acknowledges the contribution of Bourke Shire Council staff in the preparation of this Plan of Management.



Rock art from Bourke region – Mulgowan 'Yapa' art site. Taken from Bourke Shire Aboriginal Heritage Study, OzArk.

RESERVES COVERED IN THIS PLAN

RESERVE NUMBER	RESERVE NAME	LOCATION	Reserve Purpose	Category
77500	MA Davidson Memorial Oval	Lot 87 DP 1128287 Wilson St Bourke	Cricket Ground Public Recreation	Sportsground
91239	Bourke Flood Mitigation Line	Lot 7318 DP 1182581, Flood levee south of Bourke	Flood Mitigation	General Community Use
87926	Bourke Recreation and Parking	Lot 7019 DP 1126645, Mitchell Street, Bourke	Parking/Public Recreation	Park
1010089	Wharf Area Park Reserve	Lot 11 Section 85 DP 758144	Public Recreation	Park
72379	Jones Park	Lot 7021 DP 1126316	Public Recreation	Park
78045	North Bourke Boat Ramp	Lot 113 DP 751867 Tancred Drive North Bourke	Public Recreation	Park
80924	Swimming Pool and Coolican Oval	Lot 7300 DP 1125511, Lot 7301 DP 1129135 Mertin St Bourke	Public Recreation	Park, Sportsground
83073	Davidsons Loch and Weir	Lot 23 DP 751848 Weir Road Bourke	Public Recreation	Park
85027	Bourke Pump Station	Lot 633 DP 761664 Glen St Bourke	Public Recreation	Park
9307	Central Park	Lot 83 DP 822050 Mitchell St Bourke	Public Recreation	Park, Sportsground
96928	Banks of Darling	Lots 42, 45 DP 722925, Lot 40 DP 753574 River Road Bourke	Public Recreation	Natural Area (Bushland)
89062	Bourke Showground & Racecourse	Lot 1 DP 766822, Lot 732 DP 851508, Lots 7030-7031 DP 110368, south-west of Bourke township	Public Recreation/Showground	General Community Use, Natural Area (Bushland)
83075	Eastern Reserve	Lots 18, 62 DP 751848, Lots 7314-7316 DP 1182581 Lot 7317 DP 1182581 Kidman Way Bourke	Regeneration Area	Natural Area (Bushland)
86273	Bourke Fishing Reserve	Lots 52, 71 DP 751848 Long Meadows Road Bourke	Public Recreation	Natural Area (Bushland)
95619	Enngonia Community Centre	Lot 6867 DP 48668 Shearer St Enngonia	Community Centre	General Community Use
82817	Yantabulla War Memorial Hall	Lots 4-5 Section 4 DP 759132, located south of Yantabulla locality	Hall/War Memorial	General Community Use
81825	Byrock Community Hall	Lots 4, 6-11 Section 10 DP 758205, north of Byrock Hotel within Byrock locality	Public Hall/Public Recreation/Rural Services*	General Community Use, Park
82807	Louth Tennis Club	Lots 1, 10 Section 2 DP 1275, Lot 7016 DP 757374, within locality of Louth	Public Recreation	General Community Use, Park
230080	Wanaaring Playground	Lot 18 Section 25 DP 759042	Public Recreation	Park



86815	Yantabulla Recreation Reserve A	Lots 9-10 Section 4 DP 759132	Public Recreation	Park
87524	Fords Bridge Recreation Reserve	Lot 3499 DP 765791	Public Recreation	Natural Area (Bushland)
97369	Enngonia Hall	Lot 9 Section 11 DP 758389	Public Recreation	Park
82814	Louth Tennis Courts	Lots 1-2, 9-10 Section 2 DP 1275, Lot 7015 DP 757374	Tennis Courts	Sportsground
230039	Wanaaring Recreation Reserve	Lot 18 DP 722955	Public Recreation	Park
1002192	Enngonia RFS	Lot 6866 DP 48668, Shearer Street Enngonia	Urban Services	General Community Use
230090	Wanaaring Emergency Airstrip	Lot 6711 DP 822039, Wanaaring	Urban Services	General Community Use
81309	Enngonia War Memorial	Lot 10 Section 11 DP 758389, Belalie Street Enngonia	War Memorial	General Community Use
1000551	Fort Bourke Stockade Site	Lot 1 DP 947313	Recreation	Natural Area (Bushland)
1014628	Enngonia Recreation Reserve	Lots 100-101 DP 1145731	Public Recreation	Park
11743	Unknown (Wanaaring)	Lot 7325 DP 1200907 (shows on portal as Lot BBB DP 66666)	Public Recreation	Park
230036	May's Bend	Lot 7322 DP 1182264	Public Recreation	Park
230037	Yantabulla Recreation Reserve	Lot 1 DP 34989	Public Recreation	Natural Area (Bushland)
86104	Yantabulla Recreation Reserve B	Lot 7001 DP 753881 (Lot 7001 not found) Lot 7303 DP 1180086	Public Recreation	Natural Area (Bushland)
87481	Louth Cricket Ground	Lots 3-10 Section 9 DP 1275, Lots 7-10 Section 10 DP 1275, Lots 7017-7019 DP 757374	Public Recreation	Sportsground
87545	Enngonia Tennis Club	Lot 7307 DP 1182875	Public Recreation	Sportsground
96634	Wanaaring Recreation Reserve	Lots 7-8, 10 DP 45005, Lots 7-10, 17-20 Section 17 DP 759042, Lots 1-20 Section 18 DP 759042. Other lots included but do not exist.	Public Recreation	Natural Area (Bushland), Sportsground

* It should be noted that Reserve 28541 (Yantabulla Cemetery) is included in a separate Plan of Management.





Reserve 96928: Banks of Darling Reserve

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Executive Summary

With the introduction of the Crown Lands Management Act, all NSW Councils have been handed over the care and control of not only physical management and maintenance of Crown Reserves, but also the responsibility to categorise and prepare Plans of Management for their current and future uses.

This Plan contains three distinct sections:

Section 1: Details WHY Council is conducting this work and writing the Plan of Management;

Section 2: Sets the scene to outline WHAT the Bourke Shire is like – WHERE it is, its people and major trends;

Section 3 Outlines HOW Council and community intend to see their Crown Reserves managed now and into the future (THE PLAN).

This generic plan of management identifies the reserves, explains how they intend to be managed in the future and how Council will ensure that its performance as land manager is kept to the standard outlined in this document and in accordance with the Local Government Act and Crown Land Management Act.

This plan has been linked to Council’s other strategic documents where common intentions and linkages can be identified. A snapshot of the Shire’s residents and economy also provides input into the users of these lands.

This generic plan of management welcomes feedback on its content and intentions, particularly the end users being the Bourke Shire communities and visitors. Consultation for this and other individual plans of management will be carried out in accordance with the LG Act and Regulations.



Byrock Community Hall, 2019

GENERIC PLAN OF MANAGEMENT CROWN RESERVES

1. Introduction

This Plan of Management (PoM) identifies crown reserves where Bourke Council is the Crown Land Manager and outlines how Council intends to manage these reserves.

The development of this plan was prompted by the commencement of the Crown Lands Management Act (CLM Act) in July 2018. This new Act introduced the need for Councils who manage Crown reserves to do so under the provisions of the Local Government Act. Under this legislation they must:

- Assign a community land 'category' to the reserve that best aligns with the reserve purpose and use of the land, and
- Prepare and adopt a new compliant PoM for the land within three years of the commencement of the CLM Act and
- Incorporate Native Title advice into any new Plan of Management prepared.

Previously the Crown was responsible for managing the land in accordance with the (now repealed) Crown Lands Act 1989.

1.1 Community Land and Plans of Management

Community land is land owned and/or controlled by Council and is retained primarily for community use. It can include parks, playing fields, playgrounds, bushland and other areas of open space accessible to the public.

Community land is a type of land classification. All community land must have a plan of management prepared. The only other land classification in NSW is *operational* land. Operational land includes all other freehold land including land owned privately and by Government. Operational land does not need a plan of management prepared for its use or management. Operational land serves a commercial or operational function. In terms of Council-owned operational land, it includes land

- held as a temporary asset,
- held as an investment,
- which facilitates the carrying out of functions by a council, or
- which may not be open to the general public (such as a waste depot).

Development and use of community land is set out in the Local Government Act 1993 (LG Act) and Council and the State Government's Planning documents.

Under the classification of Community land, there are five (5) CATEGORIES, as set out in the LG Act. These are:

- Park
- Sportsground
- Area of Cultural Significance
- Natural Area (further subcategories under this category)
- General Community Use

Some larger and multi-use sites can contain a number of the above categories which apply in different areas. A number of the reserves in this Plan have more than one category assigned for their use.

1.2 Scope of this Plan of Management

The LG Act allows for the preparation of generic plans of management for community land which cover a number of sites. This pools resources and provides clear guidance for the planning, resource management and maintenance of public open space. Appendix 1 outlines the Crown Reserves under this Plan.

This generic plan of management establishes clear direction for the sites and responsibilities for the users of the community land. It provides a basis for assigning priorities in works programming and budgeting within Council's financial capacity.



Any works at the sites identified must be in accordance with the plan of management and overall in accordance with the reserve purpose. New works including tenures must also consider impact on Native Title (*Native Title Act 1993*) and Aboriginal interests under the *Aboriginal Land Rights Act 1983*.

1.3 Process of Preparing this POM

The following steps outline the process of preparing this POM:

1. Prepare draft POM
2. Council resolution to refer to Crown Lands prior to publicly exhibiting the POM
3. Public exhibition and public hearing (where necessary)
4. Refer back to Crown Lands
5. Report to Council outlining submissions & preparation of final POM
6. Adoption by Council
7. Copy of adopted POM sent to Crown Lands for final endorsement & adoption by Minister.

Consultation within the Plan began early with user groups consulted at the outset to allow ample time to be involved in the Plan's direction and content.

A comprehensive flowchart outlining the full steps in this process is shown below.

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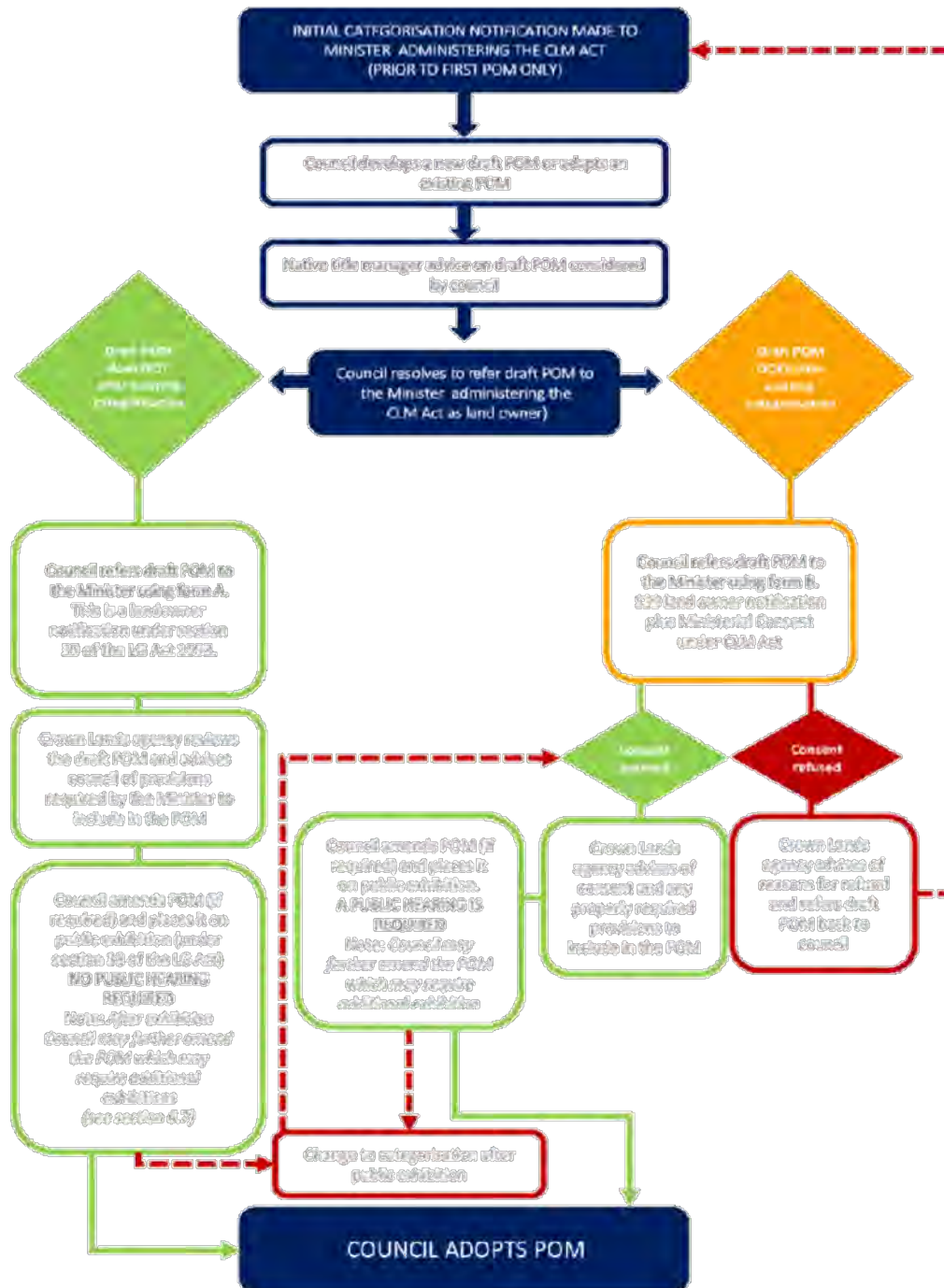


Figure 1: Process for preparing a Plan of Management for Council-managed reserves

1.4 Council Plans and Policies relevant to Plans of Management



All Councils develop hierarchies of plans and policies which start at the visionary 'umbrella' type plans, covering the entire LGA, and drill down into more specific plans covering smaller topics and areas of land.

All NSW Councils develop a Community Strategic Plan which outlines the community vision and future aspirations of the area across a broad range of service areas.

Under the Strategic Plan, specific plans and policies relevant to various areas of responsibility including managing open spaces are prepared. It is under the sphere of open space management that Plans of Management are developed and plans in this genre interrelate.

The following plans and policies are relevant to this PoM:

- Bourke Community Strategic Plan 2027
- Bourke Shire Delivery Program and Operational Plan
- Draft Parks and Gardens Management and Operational Plan 2015
- Bourke Tourism Strategy
- Bourke Shire Asset Management Strategy
- (Individual) Asset Management Plans and Register
- Community Strategic Plan 2017
- Disability Inclusion Action Plan 2017

At a higher strategic level, the Draft State Strategic Plan for Crown Lands includes priorities for the management of Crown Lands, including Crown Reserves the subject of this Plan. This Plan will also be cross-referenced for the intended actions in this Plan of Management.

1.5 Legislation relevant to Plans of Management

A range of state and local legislation applies to the use and development of Crown Reserves. The following legislation applies to the development of the reserves in this Plan.

1.5.1 Local Government Act 1993

The Local Government Act and Regulation outline the processes for classifying and categorising community land and the objectives of the categories for community land. This and the following Act are the main pieces of relevant legislation when it comes to the management of Crown Reserves. Execution of leases and licences over Crown Reserves are also outlined in the LG Act.

1.5.2 Crown Land Management Act 2016

The introduction of the above Act in 2016 provides a framework for Councils and other Crown Land Managers to manage Crown Reserves. In the case of Councils, they now manage the Crown Reserves as they would any other community land under their care and control. This Act has also introduced a requirement for the NSW Government to produce a State Strategic Plan for Crown Land by July 2021. This was completed and the Crown Land 2031 State Strategic Plan was published in June 2021. Although this Plan was drafted at a broad level, it sets common management intentions for the State's community land. Councils have a responsibility to ensure compliance with this State Plan.

Under the CLM Act, certain types of minor developments which require development consent are taken to have been given consent on behalf of the Crown as owner of the reserved Crown land. This means that Council, when submitting a development application for the following works on Crown reserves, is not required to obtain the Minister's written consent to lodge the application (see section 2.23 of CLM Act):

- repair, maintenance, restoration or renovation of an existing building on the land if it will not do any of the following:
 - alter the footprint of the building by adding or removing more than one square metre (or any other area that may be prescribed by the regulations)
 - alter the existing building height by adding or removing one or more storeys;
 - involve excavation of the land
- erection, repair, maintenance or replacement of any of the following on the land:
 - a building or other structure on the land permitted under the lease



- a toilet block
- a structure for the protection of the environment
- erection of a fence approved by the manager or the repair, maintenance or replacement of a fence erected with the manager's approval
- use of the land for any of the following purposes:
 - a purpose for which the land may be used under the CLM Act
 - a purpose for which a lease or licence has been granted under the CLM Act
- erection of signage approved by the manager or the repair, maintenance or replacement of signage erected with the manager's approval
- erection, repair, maintenance or replacement of a temporary structure on the land
- installation, repair, maintenance or replacement of services on the land
- carrying out on the land of any other development of a kind prescribed by the regulations or permitted under a plan of management for the land.

The deemed consent does not extend to any development that involves:

- the subdivision of land, and/or
- carrying out development of a kind excluded by the regulations.

It should be noted here that the above deemed consent does not override the requirement to complete a Native Title report for any proposed works. See section 3.4 for further detail.

1.5.3 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Plans. On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

1.5.4 Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal people in NSW. It recognises the needs of Aboriginal people for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable. In relation to this Plan, where a reserve has a known Aboriginal Land claim, any changes or tenancies on the reserve must be made with the ability to revert back to its original state and hand the land over to the Land Council in the event that the claim is successful.

1.5.5 National Parks and Wildlife Act 1974

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.



1.5.6 Biodiversity Conservation Act 2016

Note: This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained for the purpose of this Plan.

The Department of Planning, Industry and Environment's Energy, Environment and Science division has advised that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. If future amendments are made to the LG Act to enable these mechanisms future changes can be made to this Plan.

Save our Species (SOS) Strategies are now devised under the Biodiversity Conservation Act. At present no specific Strategies under this Act apply to the Reserves in this Plan of Management. Any future strategies which cover the Crown Reserves under this Plan will be considered in subsequent reviews for inclusion in their own Plan, considering this requirement under the CLM Act.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

1.5.7 Fisheries Management Act 1994

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland). Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

1.5.8 Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone land. Many of the more remote reserves in this Plan will be captured as bushfire prone land which may trigger additional consultation with the RFS if a development is proposed on such land.

1.5.9 Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater system and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects
- social and economic benefits to the state will result from the sustainable and efficient use of water.

1.5.10 Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

1.5.11 Related Commonwealth legislation

1.5.11A Environmental Protection and Biodiversity Conservation Management Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

1.5.11B Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM. This is expanded upon in section 3.6 below.

1.5.12 State Environmental Planning Policies

1.5.12A State Environmental Planning Policy (Infrastructure) 2007



This policy applies to NSW and sets out a range of criteria which apply to various types of infrastructure developments. Many of these could occur on public land and provisions exist for these instances. Of particular relevance is Division 12 which contains exempt criteria for works within parks and public reserves as reproduced below (current as at time of writing).

Division 12 Parks and Public Reserves [SEPP(Infrastructure) 2007]

(3) Any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

(a) development for any of the following purposes:

- (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,*
- (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,*
- (iii) visitor information centres, information boards and other information facilities,*
- (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,*
- (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,*
- (vi) amenities for people using the reserve, including toilets and change rooms,*
- (vii) food preparation and related facilities for people using the reserve,*
- (viii) maintenance depots,*
- (ix) portable lifeguard towers,*
- (b) environmental management works,*
- (c) demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).*

Note.

The term building is defined in the Environmental Planning and Assessment Act 1979 as including any structure.

66 Exempt development

(1) Development for any of the following purposes that is carried out in the prescribed circumstances is exempt development:

(a) construction or maintenance of:

- (i) walking tracks, raised walking paths (including boardwalks), ramps, stairways or gates, or*
- (ii) bicycle-related storage facilities, including bicycle racks and other bicycle parking facilities (except for bicycle paths), or*
- (iii) handrail barriers or vehicle barriers, or*
- (iv) ticketing machines or park entry booths, or*
- (v) viewing platforms with an area not exceeding 100m², or*
- (vi) sporting facilities, including goal posts, sight screens and fences, if the visual impact of the development on surrounding land uses is minimal, or*
- (vii) play equipment if adequate safety measures (including soft landing surfaces) are provided and, in the case of the construction of such equipment, so long as the equipment is situated at least 1.2m away from any fence, or*
- (viii) seats, picnic tables, barbecues, bins (including frames and screening), shelters or shade structures, or*
- (ix) portable lifeguard towers if the footprint of the tower covers an area no greater than 20 square metres,*
- (b) routine maintenance of playing fields and other infrastructure, including landscaping,*
- (c) routine maintenance of roads that provide access to or within those playing fields, including landscaping.*

The NSW Government, in applying this State Policy, is allowing minor public infrastructure works to progress quickly through to construction without the need for planning approval (subject to satisfying set criteria).

1.5.12B State Environmental Planning Policy (Koala Habitat Protection) 2021

This SEPP currently has two versions based on metropolitan and non-metropolitan Councils as well as rural zones. They both aim to protect core koala habitat and ensure populations of this iconic Australian marsupial are stabilised and increased for future appreciation. The SEPPs outline information required to be included in a Koala Plan of Management as well as the assessment criteria which apply for Councils where a Koala Plan of Management does not apply.

For the Bourke Shire and related to this Plan of Management, these SEPPs are triggered only when a development application is required to be submitted on Crown Reserves in rural land use planning zones (being RU1, RU2 and RU3) and also if the land:



- a) has an area of at least 1 hectare, including adjoining land within the same ownership) and
- b) does not have an approved koala plan of management applying to the land.

It is advised that the Koala SEPP be reviewed to determine compliance of the proposed development with the current-at-time version of this SEPP.

1.5.13 Bourke Local Environmental Plan and Zoning

The Local Environmental Plan for the Bourke Shire outlines the planning controls over each of the zones within the LGA. Zoning is the practice of segregating land uses according to preferred use, depending on a range of topographical, environmental, economic and social considerations. Zoning on each of the reserves included in this plan is varied. Zones range from RE1 (Public Recreation), which is expected for the sporting and recreational fields in the towns to RU1 (Primary Production) for remote, passive reserves in rural areas. Lots zoned for Primary Production have objectives for development related primarily to an agricultural use. When these lots are classified community yet are bordering farmland, this zoning is appropriate and leases may be affected to appropriately manage the land in certain circumstances. In most cases the land continues to be used as it has been prior to a Plan of Management being drafted, providing it complies with the reserve purpose and the new plan of management. Any new developments on the land will need to consider the land use zoning from the Bourke Local Environmental Plan.

The most utilised zoning for urban land reserved for community use or park is RE1 Public Recreation. The objectives for this zone are standard across NSW and are shown below:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

If reserves are not zoned for recreation purposes, this does not preclude their use, enjoyment or further development as a Park. Any development proposed which requires development consent not only has to be in accordance with the original reserve purpose and terms of this Plan of Management but also must comply with state and local planning policies.

The land use zones under the LEP that cover the reserves under this plan include:

RU1: Primary Production
 RE1: Public Recreation
 R1: General Residential
 RU5: Village
 B2: Local Centre

Recreation facilities in the above zones are permitted with consent (where other exempt provisions do not apply), which is appropriate.

1.5.14 Bourke Shire Development Control Plan 2012

This document provides greater detail on the permissible uses within the zones and the performance and design criteria for such developments. This document must also be referred to when proposing development which requires consent from Council.

1.6 Change and Review of Plan of Management

This PoM will require regular review to ensure the community's intended directions for community land is kept in line with expectations as well as Council and the user groups' agreed level of service. If an Aboriginal Land Claim or claim under Native Title is determined on a Reserve under this Plan, this will also result in an amendment to this Plan of Management.

Major changes to this and other PoMs are to be carried out every five years. Council's Annual Reporting process may also require checking of the requirements in this Plan.

The CLM Act and the LG Act include provisions for the amendment of PoMs as well as the required community engagement.



1.7 Community Consultation

During initial drafting of this Plan, consultation began with user groups who either hold a lease or licence over Crown Reserves or otherwise have an interest in the Reserves in this Plan. This provided early insights into how the reserves are used and how they are intended to be used in the future. Results of this early consultation are included in Appendix 2 and Table 3.

Public exhibition, as required under the LG Act, was carried out for this Plan from ... To ... A total of x submissions were received. These submissions were considered and included where relevant prior to Council adoption of the Plan. Crown Lands were also involved in endorsing the Plan for public exhibition as owner of the lands (required under s.39 of the LG Act).

Note, as this Plan is in draft form, the above sections will be completed in full following community consultation.



Reserve 78045: North Bourke Boat Ramp. Recent repairs & upgrades to ramp

2.0 The Context

2.1 The Residents of Bourke Shire

2.1.1 Community Profile major facts and trends

The number of people usually resident in Bourke in 2016 was 2,634. This represents a decrease of 233 people (-8.13%) from the 2011 total of 2,867 people. This population decrease follows a similar trend across western NSW towns where the impacts of mechanisation, technology and the cyclical nature of weather impacts on populations, as well as a gradual population shift to the coast or larger population centres.

Main Points:

- Like most NSW regional towns, Bourke’s population is in slight decline
- Bourke’s population is ageing
- Nearly one in three residents identify as Aboriginal or Torres Strait Islander

Bourke Shire’s population is expected to continue to decline slowly with influxes of transient workers for major projects in the region providing some fluctuations (such as value-added agricultural initiatives and Government projects). The other expected change, as will be the case across the country, is an increase in the proportion of Bourke’s residents aged 60+ years. The community profile for Bourke shows a reduction in numbers over most younger age cohorts with the exception of age groups above 45 years which are mostly increasing in proportion. The age group with the largest increase from 2011-2016 was the 65-74 years group (ABS, 2016).

The proportion of Aboriginal and Torres Strait Islander residents in the LGA is 31.47%. This proportion has grown steadily since, and prior to 2006.

Unemployment in the Shire is 6.4% (as at the 2016 Census) which is slightly higher than the Orana region and the NSW average of 5.3% in 2016 (NSW Regional Labour Force data)

2.1.2 Implications for open space

With a population in slight decline and an increasing proportion of elderly residents, this has implications for the provision of open space and the connectivity of such open space to the community and to and between aged care facilities. Different uses of spaces for the elderly including leases of buildings for men’s and women’s sheds, Aboriginal groups including art groups and community gardens will also need to be considered long term. In smaller towns if not provided and driven by Council, community groups may suggest these initiatives and look to Council for support.

Level footpaths providing access to active and passive recreation areas will benefit all age groups and in particular, those walking and using prams, bikes and mobility scooters.

Lighting and security in open space areas is also of importance, particularly where the elderly or younger/more vulnerable age groups may use the space at times when sunlight is poor or restricted.

Another wider implication for open space is climate change and the need to plan for shade during summer, and sunlight in winter. Also, as many open space areas are located in floodprone areas, the need to ensure playground/exercise equipment and sheds are built to withstand inundation and floodwaters is part of the site-specific planning.

The ability of various user groups (including Aboriginal and Torres Strait Islander persons and those from ethnically diverse backgrounds) to move between and enjoy the benefits of the Reserves outlined in this plan is also of importance. Where this can be enhanced, priority needs to be given.

2.1.3 Links to Community Strategic Plan

The Bourke Shire CSP cites the following actions under ‘Liveable and vibrant community’:

- Encourage sport and recreation activities
- Enhance our Parks and Ovals
- Improve local main street amenity
- Improve Boat Ramp at North Bourke



- *Improve lighting throughout township*
- *Increase the level of shade in our parks and gardens*

Under 'Infrastructure', the CSP notes the following actions:

- *Ensure Community halls and other Village infrastructure is maintained to a suitable standard;*
- *Further develop pool, Davidson Oval and Central Park precinct plans*

The above actions directly link with the management of open spaces and in particular, the direction provided by this and Council's other Plans of Management. This Plan will therefore link with these to provide strategic direction for actions identified in Council's Community Strategic Plan.

2.1.4 Links to 2031 – State Strategic Plan for Crown Lands

As mentioned above, this Plan was released in June 2021 and has been developed by Crown Lands in accordance with the CLM Act 2016. This Plan applies to all Crown Land in the state of NSW, regardless of whether it is a Dedication, Reserve or other Crown Land.

The main priorities for the State Strategic Plan are:

- Priority 1 - Strengthen community connections with Crown land,**
 - Priority 2 - Accelerate economic progress in regional and rural NSW**
 - Priority 3 - Accelerate the realisation of Aboriginal land rights and native title in partnership with Aboriginal people**
 - Priority 4 - Protect cultural heritage on Crown land, and**
 - Priority 5 - Protect environmental assets, improve and expand green space and build climate change resilience.**
- Where the above priorities intersect with actions and outcomes for the reserves, they will be referenced in the Action Plan (see Appendix 1).

2.2 Community Land in the Bourke Shire

This generic plan of management only includes land owned by the NSW Government (the Crown). In addition to the reserves identified in this plan, Council is also responsible for the management of its own community land and Council reserves and parks.

2.2.1 Land covered under this Plan of Management

The table on page 4 of this Plan shows the reserves included in this Plan of Management. These are all of the Crown Reserves managed by Council which require a Plan of Management under the *Local Government Act 1993*. See **Appendix 1** for detailed location of these sites.





Bourke Picnic Races, 2019 being held on Reserve 89062. Image courtesy of The Land newspaper.

3.0 The Plan of Management

This section of the Plan outlines each of the Reserves and **HOW** they are to be managed in accordance with the relevant legislation in section 2.

3.1 Crown Reserves in the Bourke Shire

Bourke Shire was initially handed the management of forty-three (43) Crown Reserves from Crown Lands. Of these Crown Reserves, five (5) were put forward to be classified as operational land which was approved. Note that once classified as operational land, reserves are not required to have a Plan of Management prepared for their use.

The remaining 38 reserves form the basis of this Plan of Management. In addition to this, Council owns and manages its own community land reserves, also under section 36 the Local Government Act.

Following endorsement from Crown Lands, Bourke’s Crown Reserves have been assigned the following categories:

Category	Number of Crown Reserves
Park	10
Natural Area – Bushland	9
General Community Use	5
Sportsground	4
Area of Cultural Significance	1
Multiple categories (eg. Park and Sportsground)	7
TOTAL	36

Following categorization of the Reserves, they have been grouped by their category and listed below.

3.2 Timeframes in action plans

The following timeframes for actions to be completed have been taken from the State Strategic Plan: A Vision for Crown Lands (Draft 2020) and provide scope for Council to work within common agreed milestones.

ST: Short Term (Complete over 1-2 years)

MT Medium Term (Complete within 5 years)

LT Long Term (Complete within 10 years).

DRAFT

GENERIC PLAN OF MANAGEMENT CROWN RESERVES

3.3 Action Plans for Reserves by Category

Table 3.3.1 Park

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Management Strategies & links to State Plan	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
PARK				
(a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities,	Community Strategic Plan (CSP): <i>Liveable and Vibrant Community</i> - Ensure high level of youth services, amenities and activities - Enhance our parks and ovals	Improved awareness Better utilisation State Strategic Plan (SSP) Priority 1 (strengthen community connections with Crown Land)	Maps of open space areas to be developed as part of recommendations in Bourke Tourism Strategy , which can then be given to target visitors as well as locals.	Maps/promotional material produced Short Term
(b) to provide for passive recreational activities or pastimes and for the casual playing of games,	CSP: <i>Environmental Sustainability</i> - Manage Council trusts and reserves to a high standard.	Provision of spaces SSP Priority 5 (protect assets)	Investigate which user groups require a lease or licence for their operations on Crown Reserves	Upon adoption of this Plan Short term
(c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.	CSP: <i>Infrastructure</i> - Enhance shaded areas to parks - Improve the boat ramp at North Bourke - Ensure community halls are maintained to a suitable standard (where co-located on parks) Bourke Tourism Strategy: [well maintained] public toilet infrastructure	Improved condition Promote usage Safe and clean spaces SSP Priority 2 (economic progress)	- Assess current physical condition of key facilities at reserves to determine forward plans for maintenance - Assess condition of boundary fences to ensure adequate security (where necessary). - As site infrastructure improves and risk of theft increases, consider best methods of security at the site for all user groups including lighting - Conduct annual safety audits of the site in conjunction with interested user groups and Council's internal Audit Committee	Physical condition reports for facilities, fences, parking to marry in with Asset Management reports Short Term Safety/security audit at prioritised sites Medium Term Toolbox meetings for outdoor staff to gauge feedback on site management techniques regular intervals Public toilet and amenity audits – regular basis



Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Management Strategies & links to State Plan	Actions	Performance Evaluation and Timeframe (SI/MT/LT)
			<ul style="list-style-type: none"> - Improved site management techniques - Electricity/solar power for future site upgrades - Access and parking assessments - Public amenities checks 	

The following developments are encouraged/permmissible on Reserves containing the category Park:

<p>Purpose/Use such as...</p> <ul style="list-style-type: none"> • Active and passive recreation including children's play and cycling • Group recreational use, such as picnics and private celebrations • Eating and drinking in a relaxed setting • Publicly accessible ancillary areas, such as toilets • Festivals, parades, markets, fairs, exhibitions and similar events and gatherings • Low intensity commercial activities (e.g. recreational equipment hire) • Filming and photographic projects • Busking • Public address (speeches) • Community gardening <p>NB: Some of the uses listed above require approval from Council.</p>	<p>Development to facilitate uses, such as...</p> <ul style="list-style-type: none"> • Development for the purposes of improving access, amenity and the visual character of the park, e.g paths, public art, pergolas • Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, basketball courts. • Amenities to facilitate the safe use and enjoyment of the park e.g. picnic tables, BBQs, sheltered seating areas • Cafe or refreshment areas (kiosks/restaurants) including external seating • Lighting, seating, toilet facilities, courts, paved areas • Hard and soft landscaped areas • Storage sheds • Car parking and loading areas • Commercial development which is sympathetic to and supports use in the area, e.g. hire of recreation equipment • Community gardens • Heritage and cultural interpretation, e.g. signs • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> - relate to approved uses/activities - are discreet and temporary - are approved by the council • Bio-banking and carbon sequestration initiatives • Water saving initiatives such as stormwater harvesting, rain gardens and swales • Energy saving initiatives such as solar lights and solar panels • Locational, directional and regulatory signage
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Reserve 9305: Central Park shade sails over exercise equipment

Table 3.3.2 Sportsground

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan (SSP)	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
Sportsground				
(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal	Community Strategic Plan (CSP): <i>Liveable and Vibrant Community</i> - Ensure high level of youth services, amenities and activities - Enhance our parks and ovals	Promotion SSP Priority 1 & 2	- Encourage multi-use of sites - Facilitate hosting wider events to encourage greater usage - Improved boundary fencing Improved access to and between reserves	- Council survey to include use of open space Medium Term - Increased usage of Reserves Medium Term - Increased number of wider events hosted



Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan (SSP)	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
sporting activities and games.	- Encourage sport and recreation activities			Medium Term
	Disability Inclusion Action Plan 2017 (DIAP) - Secure funding for all-abilities play equipment - Improve access to the pool for persons with a disability	Accessibility SSP Priority 1	- Widened footpaths (subject to grant funding) for limited mobility user groups - Play and pool equipment for limited mobility groups	Long Term Medium Term
	Bourke Tourism Strategy: Encourage locals and family members to be actively involved in sporting organisations	Involvement Utilisation SSP Priority 1	- Ensure lease/licence fees are affordable - Assess directional signage (both physically and online) - Apply for funding to upgrade facilities through the Crown Reserve Improvement Program, when available - Improved information on how to book fields and their regular use	- Council to look at online linkages Short Term - Funding applications applied for when funding streams open ongoing - Improved pool access for persons with a disability Short Term – grant funding - Survey with next CSP Medium Term
(b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.	CSP: Liveable and Vibrant Community - Improve local main street amenity	Amenity	- Complaint register checks for amenity impacts of Sportsgrounds - Social media suggestions for improvement from community	Medium Term



The following developments are encouraged/permissible on Reserves containing the category Sportsground:

Sportsground	
<p>Purpose/Use</p> <ul style="list-style-type: none"> • Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities • Organised and unstructured recreation activities • Community events and gatherings • Commercial uses associated with sports facilities 	<p>Development to facilitate uses</p> <p>Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example:</p> <ul style="list-style-type: none"> • Sports field (cricket, football, track and field athletics, baseball, softball) • Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.) • Aquatic facility (learn to swim classes, squad training, fitness and health classes including aqua aerobics, recreational and competitive swimming and diving, organised water sports including water polo, diving, hydrotherapy facilities) • Professional rooms for hire • Change room/locker areas • Shower/toilet facilities • Kiosk/café uses • Car parking and loading areas • Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas) • Shade structures • Storage ancillary to recreational use, community events or gatherings, and public meetings • Facilities for sports training, e.g. batting cages, tennis walls • Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas • Café/kiosk facilities • Heritage and cultural interpretation, e.g. signs • Equipment sales/hire areas • Meeting rooms/staff areas • Compatible, small scale commercial uses, e.g. sports tuition • Advertising structures and signage (such as A-frame) and banners) that: <ul style="list-style-type: none"> - relate to approved use/activities - are discreet and temporary - are approved by the council • Water saving initiatives such as stormwater harvesting, rain gardens and swales • Energy saving initiatives such as solar lights and solar panels • Locational, directional and regulatory signage





Bourke Racecourse Parkrun. Image courtesy of Bourke Racecourse Parkrun facebook page

Table 3.3.3 General Community Use

Management Objectives (Local Govt Act)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan (SSP)	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
General Community Use				
To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and the wider public:	CSP: <i>Environmental Sustainability</i> - Manage Council trusts and reserves to a high standard	Promote Encourage SSP Priority 1 & 5	- Facilitate hosting wider events to encourage greater usage - Community surveys with CSP review to determine future needs and wants of community - Assess asset condition regularly in line with agreed service levels and Asset Management Plans	MT/LT
	CSP: Social justice principles allowing and promoting access to facilities	Accessibility	- Cost-prohibitive checks of accessing the community facility - Welcoming to people of all backgrounds	ST
	CSP: <i>Economic Prosperity</i> - Promote and develop business opportunities	Promote Prosper SSP Priority 2 & 3	- Utilise existing community buildings on reserves for meetings/business start-up spaces/pop up retail	ST
In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public	CSP: <i>Liveable and Vibrant Community</i> – Improve disability access - Develop and enhance the arts	Liveability SSP Priority 1	- Ensure all sites have adequate accessibility for all members of the public - Asset condition determined in consultation with user groups and Council’s adopted Asset Management Plan (AMP). - Priority boundary fences checked - Security and safety at sites considered at relevant Committee meetings	



Management Objectives (Local Govt Act)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan (SSP)	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)	CSP: Governance - Sustainable well-financed Council	Compliance SSP Priority 5	<ul style="list-style-type: none"> - Tenure and hire fees included in Council's Fees and Charges – to be reviewed if limited interest/income - Promote successful hire/licences issued for crown reserves through Council social media and website - Determine appropriate tenure and hire fees for new and existing leases/licences - Prepare guideline for casual hire/lease/licencing of community buildings/sites, particularly where demand justifies preparation. 	ST

The following developments are encouraged/permissible on Reserves containing the category General Community Use

General community use	
<p>Purpose/Use Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. Providing multi-purpose buildings (e.g. community halls and centres) with specialised community uses such as:</p> <ul style="list-style-type: none"> • casual or informal recreation • meetings (including for social, recreational, educational or cultural purposes) • functions • concerts, including all musical genres • performances (including film and stage) • exhibitions • fairs and parades • workshops • leisure or training classes • childcare (e.g. before and after school care, vacation care) • designated group use (e.g. scout and girl guide use) 	<p>Development to facilitate uses Development for the purposes of social, community, cultural and recreational activities – such as libraries, childcare centres, youth services, aged services, men's sheds, health services, sports.</p> <p>Development includes:</p> <ul style="list-style-type: none"> • provision of buildings or other amenity areas to facilitate use and enjoyment by the community • development (particularly within buildings) for the purposes of addressing the needs of a particular group (e.g. a stage) • landscaping and finishes, improving access, amenity and the visual character of the general community area • water saving initiatives such as rain gardens • energy saving initiatives such as solar lights and solar panels • carparking and loading areas • advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> - relate to approved uses/activities - are discreet and temporary - are approved by the council • locational, directional and regulatory signage.



<ul style="list-style-type: none"> • educational centres, including libraries, information and resource centres • entertainment facilities. 	
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Table 3.3.4 Natural Area – Bushland

Management Objectives (Local Govt Act)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
Natural Area				
To conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area.	NSW State Strategic Plan – A vision for Crown Land Support and restore environmental values on Crown land	Conserve SSP Priority 5	1(a) Assess prioritised areas for improvement of the reserve 1(b) Ensure appropriate site management techniques are planned and utilised including bushfire and flood mitigation	1(a) Prioritise works Short term 1(b) Discuss techniques with appropriate authorities' Short term
To maintain the land, or that feature or habitat, in its natural state and setting.	Bourke LSPS Protect and manage environmental assets	Maintain SSP Priority 5	1(c) Discuss weed and pest control on the reserve in partnership with neighbouring land managers and owners 1(d) Identify if fencing requires improvement in discussion with adjoining landholders	1(c) Long term 1(d) Medium term
To provide for the restoration and regeneration of the land.	Bourke CSP: Environmental Sustainability -Manage Council trusts and reserves to a high standard.	Restore SSP Priority 5	1(e) Obtain advice regarding appropriate species to be planted to assist in sustainable regeneration on the lands	1(e) Verify appropriateness of species list in reserve tables, with view to planting or offering site for biodiversity credits. Short term
To provide for community use of and access to the land in such a manner as will	NSW State Strategic Plan – A vision for Crown Land Reduce red tape for government entities managing Crown land.	Community Use Accessibility	1(f) Assess suitability of access to site based on RMS recommended sight lines	1(f) Short term 1(g) Medium term



Management Objectives (Local Govt Act)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan	Actions	Performance Evaluation and Timeframe (SI/MT/LT)
minimise and mitigate any disturbance caused by human intrusion, and		SSP Priority 4	1(g) Assess access within the site based on rationalising tracks and allowing for combined access and fire trails 1(h) Consider controlled access to the land where open public access may conflict with conservation intentions.	1(h) Medium term
To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i> .	Western Enabling Regional Adaptation – Far West Region <i>Saving our Species</i> program looking to prioritise funding for threatened species projects in western NSW	Facilitate co-management with others	1(i) Where threat abatement plans, save our species strategies or recovery plans are devised and notified to Council, actions relating to Council management then devised to further manage the use of the land and assist in the recommendations of the species plan.	1(h) Ongoing and when advised
Bushland				
To ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land	Western Enabling Regional Adaptation – Far West Region Better integrate land conservation through connectivity buffer zones and combining management with the public reserve system. Note, this Plan is silent on Crown Land in this respect but the above can still be utilised.	Protect biodiversity Funding SSP Priority 5	1(j) Consider partnership approach to public land management for these remote reserves with adjoining land managers 1(k) Prior to any organised plantings, species lists are to match with intended regeneration targets	Regular checks of endangered and threatened species plans which are relevant in the Bourke LGA (and only where specific sites are captured) are carried out regularly (ongoing)



Management Objectives (Local Govt Act)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan	Actions	Performance Evaluation and Timeframe (S/T/M/L/T)
and other ecological values of the land, and			1(l) Explore opportunities for funding reserve management from wide ranging sources	
To protect the aesthetic, heritage, recreational, educational and scientific values of the land, and	NSW State Strategic Plan – A vision for Crown Land Manage Crown Land to build resilience in a changing climate	Balanced protection SSP Priority 4	1(m) Prioritise where this Reserve is able to contribute best to the inherent values of Crown land’s assets (eg. scientific research on this Reserve may take precedence over aesthetics due to limited site exposure).	1(m) Long term
To promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and	NSW State Strategic Plan – A vision for Crown Land Support and restore environmental values on Crown land	Promote enhanced management Research sites SSP Priority 1, 2, 5	1(n) Bushland regeneration provided via research companies 1(o) Explore and apply for prioritised funding under the Crown Reserves Improvement Fund for: - Reducing seed bank of weeds on site - Spraying and manual removal of weeds - Pest control whilst retaining natural hollows for native fauna - Adjacent road reserve maintenance	1(n) Long term 1(o) Annually or when offered
to restore degraded bushland, and to protect existing landforms such as natural drainage lines, watercourses and foreshores, and	NSW State Strategic Plan – A vision for Crown Land Support and restore environmental values on Crown land	Restore and protect SSP Priority 5	1(p) Encourage use of Reserves and community land by Research entities where maintenance and regeneration of the land is part of the external management, including wider community	1(p) Long term



Management Objectives (Local Govt Act)	Links to adopted Council Strategic Plans	Management Strategies & links to State Strategic Plan	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
			benefit of educational and scientific research results	
to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and to protect bushland as a natural stabiliser of the soil surface.	Bourke LSPS Protect and manage environmental assets	Retain and protect SSP Priority 5	1(q) Consider internal fencing or fire trails to ensure paddock sizes are appropriate for regeneration efforts to succeed. 1(r) Include educational information via Council media platforms regarding the protection of habitat at management sites which can include natural drainage lines and watercourses as well as vegetation as a passive stabiliser of soil	1(q) Medium term 1(r) Short term

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Reserve 86273: Bourke Fishing Reserve



The following developments are encouraged/permissible on Reserves containing the category Natural Areas

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Preservation of the council's natural heritage including the identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive informal recreation • Walking and cycling • Guided bushwalks • Environmental and scientific study • Bush regeneration works • Carbon sequestration • Bio-banking 	<ul style="list-style-type: none"> • Toilets • Picnic tables • BBQs • Sheltered seating areas • Lighting • Low impact carparks • Low impact walking trails • Interpretive signage • Water saving initiatives such as rain gardens, swales and sediment traps • Energy saving initiatives such as solar lights and solar panels • Bridges • Observation platforms, signs • Information kiosks • Refreshment kiosks (but not restaurants) • Work sheds or storage sheds required in connection with the maintenance of the land • Bicycle/boat hire or similar • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Locational, directional and regulatory signage

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GENERIC PLAN OF MANAGEMENT CROWN RESERVES

3.4 Use and Development of the Land

Every Council has guiding principles regarding use and development of land. The following broader strategic documents have been considered in the drafting of this generic plan:

Crown Lands 2031 State Strategic Plan for Crown land, Central West and Orana Regional Plan 2036, Western Enabling Regional Adaptation – Far West Region, Bourke Community Strategic Plan, Bourke Local Strategic Planning Statement, Bourke Local Environmental Plan, Bourke Development Control Plan.

The use and development of Crown Reserves is subject to the guiding principles outlined in this Plan of Management and the exempt and permissibility provisions in relevant legislation. This is explained in further detail below.

3.5 Leases and Licences

Leases and licences over community land are common and allow Council to formally allow specific community uses on the reserves. Providing the lease or licence is in accordance with the original reserve purpose and this PoM, this method of land management can expand the use of the land, making use of sometimes unused spaces without the need for expenditure of additional Council resources.

The difference between a lease and a licence is explained by reference to the NSW Department of Industry’s online fact sheets:

Licences

Use a licence:

- when the proposed user does not need to exclusive use of any part of the reserve
- if it is for occasional or short term use, for example the use of a showground by a show society on specific days of the year.

Licences provide greater flexibility of use for different users who may operate at the same time. For example, a sporting club may be playing football on the reserve while food and other goods are sold on the site by a vendor under a separate licence.

Leases

Use a lease:

- when the lessee needs exclusive use of the whole or part of the reserve or a building because of the type of business or activity they wish to be conducting
- if the lessee has invested or proposes to invest, substantial sums of money installing or improving facilities on the reserve, for example, a sporting club.

A leaseholder has effective control of the leased area in the same way someone renting a house has sole rights to use the house. The requirements of the Community Engagement Strategy must be followed prior to issuing a lease.

Once the lease or licence is executed, the lessees and licensees are to abide by the terms of the lease or licence and Council is to inspect the site to ensure compliance at regular intervals within the terms of the agreement. Maintenance of various elements at the site is usually undertaken through a process of open communication and negotiation between the lessee/licensee and Council as land manager.



Council may grant a lease or licence or other estate over community land to community organisations, individuals, sports clubs, associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

Leases and licences in the Bourke Shire to date have been limited and vary depending on the location of the site and user groups.

The following general criteria apply to the issue of leases and licences and are to be met by intending lessees and licensees:

General Lease/Licence Criteria

- Be a community, not-for-profit or other approved organisation (including a primary producer where a grazing licence is sought);
- Deliver activities and programs within the Shire that provide services or benefits to the community and comply with the requirements of this PoM;
- Show an ability and willingness to meet the financial obligations of the lease or licence;
- Maintain appropriate insurances for the term in accordance with Council's minimum insurance cover at the time;

Specific Leases and Licences

This PoM expressly authorises the following lease and licence types, subject to the core objectives of the LG Act:

- Seasonal licences for competitive sporting events;
- Licences for the casual hire of sites and facilities for sporting and community events, subject to liaison with interested parties and those responsible for maintenance. Examples include fetes, fairs, festivals, circuses, charity events, motocross, movies, musicals, outdoor theatres, community singing events, parades and performances and may also include stallholders engaged in trade;
- Licences for small scale private sector events such as markets, promotional events, parties, large group picnics, family reunions, weddings, filming and photography;
- Licences for periodic exclusive use, particularly where the group has committed capital contribution to the facility;
- Leases or licences for commercial purposes are to only be granted where the commercial activity is consistent with the original purpose for the reserve and should not overpower or dominate the reserve;
- Leases or licences over any buildings for any community purpose as determined by Council, including, as prescribed by section 46(1) of the LG Act, and the provision of public utilities and work associated with or ancillary to public utilities.
- Aside to the above, note that liquor licences are subject to separate approvals and involvement by the NSW Police. These are to be considered on a case-by-case basis.

Maximum term and public notice

The maximum term of a lease, licence or other estate is 30 years (Section 46(3) of Local Government Act). The consent of the Minister for Local Government is required if the lease or licence exceeds 21 years (Section 47 (5b)). The Minister's consent is also required if the term of the lease or licence will be greater than five years and objections have been lodged against the proposal. Subject to some exceptions, (as outlined below) for all proposed leases and licences, regardless of length of term, Council must give public notice of the proposal and exhibit notice of the proposal on the land to which the proposal relates. Council must consider all submissions made in response.



Instances where public notification for a lease or licence is not required (cl. 117 LG (General) Regulation)

- (a) residential purposes, where the relevant community land has been developed for the purposes of housing owned by the council,
- (b) the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on the community land,
- (c) use and occupation of the community land for events such as—
- (i) a public performance (that is, a theatrical, musical or other entertainment for the amusement of the public),
 - (ii) the playing of a musical instrument, or singing, for fee or reward,
 - (iii) engaging in a trade or business,
 - (iv) playing of any lawful game or sport,
 - (v) delivering a public address,
 - (vi) conducting a commercial photographic session,
 - (vii) picnics and private celebrations such as weddings and family gatherings,
 - (viii) filming,
- (d) a purpose referred to in clause 116(3) or (4).
- (2) However, the use or occupation of community land for events listed in subclause (1)(c) is exempt only if—
- (a) the use or occupation does not involve the erection of any building or structure of a permanent nature, and
 - (b) in the case of any use or occupation that occurs only once, it does not continue for more than 3 consecutive days, and
 - (c) in the case of any use or occupation that occurs more than once, each occurrence is for no more than 3 consecutive days, not including Saturday and Sunday, and the period from the first occurrence until the last occurrence is not more than 12 months.

Granting a Lease or Licence

The grant of a lease or licence is an important step in using community land, but there may be other requirements relevant to any proposed use. For example, substantial additions to a kiosk may also require development consent under the Environmental Planning and Assessment Act 1979. Additionally, Native Title reporting requirements are still to be met prior to any works being carried out on crown reserves. Any interested person should check carefully to make sure they are aware of all relevant requirements.

A lease, licence or other estate must **not** be granted if it involves:

- An activity if it is not in accordance with a permitted purpose;
- An activity that is not consistent with the objectives of the Plan of Management; and
- Any activity prohibited by the Bowke Local Environmental Plan (taking into account hierarchy of legislation and concessions for existing and continuance of use rights under the EP&A Act).

Where in doubt, contact is to be made with Council and Crown Lands.

Short term casual Licences

Occasionally it is necessary to grant a short term licence for an event such as a festival, performance, private function or wedding ceremony. These licences are generally just for a day or a few hours. The functions and events able to be conducted in each open space may vary significantly, depending on available facilities. As these types of enquiries will be infrequent and varied, rather than list all of the types of short term casual licence types available, a list of the following criteria for assessment is here listed when considering potential licensed events on Community Land:

- The event should not result in any physical damage to the land or its facilities;
- The event organisers are to consider the impact of the event on adjoining residents and propose ways to mitigate any adverse impacts;
- Event organisers are responsible for cleaning up the site and repairing any damage that may occur.
- Fees and any security deposits or bonds for short-term casual bookings will be charged in accordance with Council's adopted Fees and Charges at the time.



Leases licences and other estates for public utilities

To avoid any doubt, leases, licences and other estates granted for the provision of public utilities and ancillary works do not need to be expressly authorised by a PoM, or consistent with the core objectives, or be for a purpose listed above. Council is authorised to grant such estates (eg easements as well as providing pipes, conduits and other underground connections) without complying with the provisions applying to other purposes (section 46(1)(a) and (b) of the LG Act). This, however, does not nullify the need for a Native Title Report, as explained in section 3.9 of this Plan.

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3.6 Telecommunications towers

Occasionally telecommunication companies seek to install towers on community land. Under the Commonwealth Telecommunications Act 1997, towers deemed ‘low impact’ are permitted without Council approval. On the other hand, towers deemed ‘high impact’ must have Council consent. Regardless of the need for consent, Council should seek to minimise the visual impact through open negotiation with the telecommunication company.

Proactive planning in this area would assist with enquiries of this nature. Design and locational guidelines in Council’s DCP and where appropriate, incorporated into the masterplanning for community land for preferred locations are examples of positive and proactive planning in this area.



Image courtesy Telstra Wholesale

3.7 Biodiversity Offsets Scheme

With the introduction of the Biodiversity Conservation Act, sites for conservation are now able to be offered as offset locations. This happens where native vegetation is proposed to be cleared on other development sites and ‘compensatory’ land is offered as an offset site and vegetation protected usually in perpetuity and registered on the title of the land.

Where appropriate, community land is able to be offered as an offset site with the express authorisation of Council, in consultation with Crown Lands NSW. This will mostly apply to lands categorised natural areas where the objectives for this land are essentially the same as for offset sites in regenerating and protecting native vegetation. This PoM is not recommending any specific reserves as offset sites however is opening the conversation for this to happen on reserves through existing legislation. Council, as Crown Land Manager, has a key role here to encourage the use of sites for biodiversity credits whilst ensuring there is also limited opportunity for lost economic activity as a result of the above biodiversity offset scheme. A cost-benefit analysis should always accompany such proposals to ensure broader implications are assessed.

3.8 Existing leases and licences

All existing leases and licences remain valid upon the adoption of this PoM. Following adoption of this PoM and endorsement by Crown Lands, any leases which do not comply with the new terms of the CLM Act will require updating (such as references to older legislation and any reserve trust entities receiving payments for leasing/licencing of the land). This latter situation most likely does not apply to Bourke but is given here as an example.



3.9 Native Title Advice

The CLM Act includes links to existing legislation regarding Aboriginal interests over Crown Land. The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure. Specifically, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council's dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

The Native Title (NSW) Act 1994 sets out criteria to be considered when future acts are to occur on Crown land and specifies the level of consultation that must be carried out before the act can occur.

Key Terms

Native title is the bundle of rights held by Indigenous people in relation to land and water in accordance with their traditional laws and customs (Mabo No. 2). They are enforceable at common law.

A '*future act*' is an act which is to occur or has occurred after the commencement of the associated Commonwealth Act, (the Native Title Act 1993), being 1 January 1994. Any acts which occurred prior to this date are considered '*past acts*' and invalid because of Native Title.

Depending on the nature of the acts, some can occur without any reference to native title claimants, potential Native Title claimants or their legal representatives. These acts usually have either a very low impact or no impact at all on native title rights and interests.

Other acts can occur after sufficient notice is given to native title claimants or their legal representatives and after they have had an opportunity to comment. Still other acts can occur only after a more involved negotiation process is undertaken.

Extinguishment will occur as a result of future activities where the non-extinguishment principle does not apply such as:

- Under a registered Indigenous Land Use Agreement;
- The granting of freehold estate or a right of exclusive possession;
- The construction of a public work; and
- Compulsory acquisition or surrender of Native Title rights and interests.

The Dept of Industry's Native Title Manager Workbook provides a thorough guide for Council CLMs where various land uses are proposed on Crown Reserves. [Appendix 2](#) outlines routine actions which may be likely to occur on Crown Reserves in the Bourke Shire and the process Council should follow.



Where a future act is not provided for in the Native Title Act

Some future acts are not specifically provided for in the legislation. These acts will have an effect on native title rights and interests. If the future act being proposed is not identified in the legislation, it means that it can only proceed after an Indigenous Land Use Agreement has been negotiated and registered with the National Native Title Tribunal.

It should be noted here that most future acts will come under Subdivisions J and K of the *Native Title Act 1993*. These subdivisions do not extinguish Native Title interests; rather they entail the most common improvements or changes made to Crown Reserves, including play equipment, footpaths, roads, water and sewer pipes and other community-related infrastructure. Under these Subdivisions, these acts may be 'validated', meaning that they are allowed to occur under this section of the NT Act.

3.10 Implementation and Review

This Plan of Management commences operation from the date of final adoption by Council following endorsement by the Department of Lands. The actions and management strategies identified in this Plan will immediately take effect and Council will be required to review these strategies in line with its annual reporting regime and as part of its community strategic plan.

This Plan is to be reviewed in accordance with the requirements of the LG Act, CLM Act and Regulations. The plan will be reviewed, as most strategic documents are, within a time period of 5 years and a comprehensive review after 10 years unless major unexpected changes warrant review.

3.11 Community Consultation

Open consultation with the community regarding this POM process is integral to its success and ownership by the local community. It is also legislated that Councils conduct community consultation through public exhibition and public hearings, when required.

Section 38 of the LG Act sets out that:

- a council must give public notice of a draft POM for a period of not less than 28 days
- the public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to the council
- the council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter that it considers appropriate or necessary to better enable the draft plan and its implications to be understood. All documents referred to in a POM should be displayed at the same time as the draft POM.

Additionally, in the case of community land comprising the habitat of endangered species, or which is affected by a threatened species recovery plan or threat abatement plan, the following requirements also apply:

- when public notice is given of the draft plan under section 38, the draft POM must be sent (or a copy must be sent) by the council to the relevant director
- the POM must incorporate any matter specified by the relevant director in relation to the land, or the relevant part.

At the time of writing, no specific sites contained within this plan contain habitat of endangered species or land affected by a threatened species recovery plan.

It should be noted here that although the term 'threatened [or endangered] species recovery plan' still applies to species of plants and animals listed as threatened or endangered under the Threatened Species Conservation Act 1995, this Act has since been repealed and Save our Species (SOS) Reports and initiatives now apply under the Biodiversity Conservation Act 2016.



Public Hearings

Public hearings are an open forum where interested people may speak about any matter – in this case, contained in a PoM. Public hearings are required if proposed plans would have the effect of altering the categorisation of community land under section 36(4). Public hearings are now not required for the development of Plans of Management by NSW Councils.

A public hearing is also not required if the draft POM would merely have the effect of altering the categorisation of the land under section 36(5) (i.e.: the further categorisation of land categorised as natural area as bushland, wetland, escarpment, watercourse or foreshore).

A council must also adhere to the requirements of section 47G of the LG Act when conducting public hearings. Specifically:

The person presiding at a public hearing must not be:

- a councillor or employee of the council holding the public hearing
- a person who has been a councillor or employee of that council at any time during the five years before the date of his or her appointment.

No later than four days after it has received a report from the person presiding at the public hearing as to the result of the hearing, the council must make a copy of the report available for inspection by the public at a location within the area of the council.

At the time of writing, none of the reserves in Bourke are proposing a change to require a public hearing.

3.12 Threatened Species, Threatened Ecological Communities, Key Threatening Processes Checks

In accordance with the Guidelines for developing Plans of Management, checks were carried out to determine if any of the Reserves under this Plan are captured as a Priority Site for the preservation of Threatened Species under various repealed and current legislation. The reason why repealed legislation is included here is that plans made under the (now repealed) Threatened Species Conservation Act are still current if their works are still being carried out.

Table 1 taken from the Office of Environment and Heritage website shows relevant threatened species, populations, ecological communities and key threatening processes in the Bourke LGA. **Table 2** shows the key management sites in the Bourke Shire where SOS Strategies and other threatened species works are being carried out. Cross-checks were completed to determine if any of these management sites are covering specific sites/Reserves in this Plan. This is the strict interpretation of the Local Government Act in this regard: that only where a recovery plan or threat abatement plan requires measures specified [in the plan] *to be taken by a specified Council on or in respect of the land* (s. 36(B)).

None of the Priority Management sites in the Bourke Shire overlap with the Crown Reserves outlined in this plan. **Map 1 and Map 2** below show spatially the Key Management Sites in the Bourke Shire.

This Plan recognises that some Crown Reserves, due to their inherent natural characteristics and infrequent use, may play host to protected and sometimes threatened species. If these Reserves fall under this Plan, they may also have a category not aligned with Natural Area and as such, leasing and licencing will be permissible as well as a number of community-uses.

To ensure these often-competing uses are balanced, the following techniques will be included and encouraged (where relevant) in the Action Plan to ensure the protection of unknown significant species.

- retention of existing natural vegetation;
- encouraged plantings of endemic vegetation which correlates with approved landscaping plans (if in towns) and species which can contribute to the habitat of such species;
- Leaving snags or fallen logs in the waterways in situ for fish habitat. *This action needs to be considered with thought given to the River's boating and tourism uses including the Jandra paddle-vessel;
- Leaving parks in remote locations in their current state (unless a safety or key maintenance issue exists) in the interest of natural vegetation regeneration whilst being a good neighbour for weed & pest management;
- Allowing for unmaintained zones within parks which have the benefit of limiting unimpeded public entry whilst allowing for movement of fauna;
- Riverbank revegetation programs.

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GENERIC PLAN OF MANAGEMENT CROWN RESERVES

Table 1

Threatened species, populations, ecological communities or key threatening processes in Bourke

Export to excel

Click on column headers to sort

Common name	Scientific name	Type	Management stream	SoS strategy	Species profile
Greenhood Orchid	<i>Pterostylis cobarensis</i>	Orchids	Site-managed species	Pterostylis cobarensis SoS strategy	Pterostylis cobarensis species profile
Curly-bark Wattle	<i>Acacia curranii</i>	Shrubs	Site-managed species	Acacia curranii SoS strategy	Acacia curranii species profile
Artesian Springs Ecological Community in the Great Artesian Basin		Threatened Ecological Communities	Ecological community (range-restricted)	Artesian Springs Ecological Community in the Great Artesian Basin SoS strategy	Artesian Springs Ecological Community in the Great Artesian Basin species profile
Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Penepain and Mulga Lands Bioregions		Threatened Ecological Communities	Ecological community (widespread)	Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Penepain and Mulga Lands Bioregions SoS strategy	Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Penepain and Mulga Lands Bioregions species profile
Oldenlandia galioides	<i>Oldenlandia galioides</i>	Herbs and Forbs	Partnership (range-restricted)	Oldenlandia galioides SoS strategy	Oldenlandia galioides species profile
Invasion of native plant communities by <i>Chrysanthemoides monilifera</i>		Weed	Key threatening processes	Invasion of native plant communities by Chrysanthemoides monilifera SoS strategy	Invasion of native plant communities by Chrysanthemoides monilifera species profile
Anthropogenic Climate Change		Habitat Loss/Change	Key threatening processes	Anthropogenic Climate Change SoS strategy	Anthropogenic Climate Change species profile

Source: <https://www.environment.nsw.gov.au/savingourspeciesapp/SearchResults.aspx> [Accessed on 20 Oct 2020]



Table 2

Key management sites in Bourke

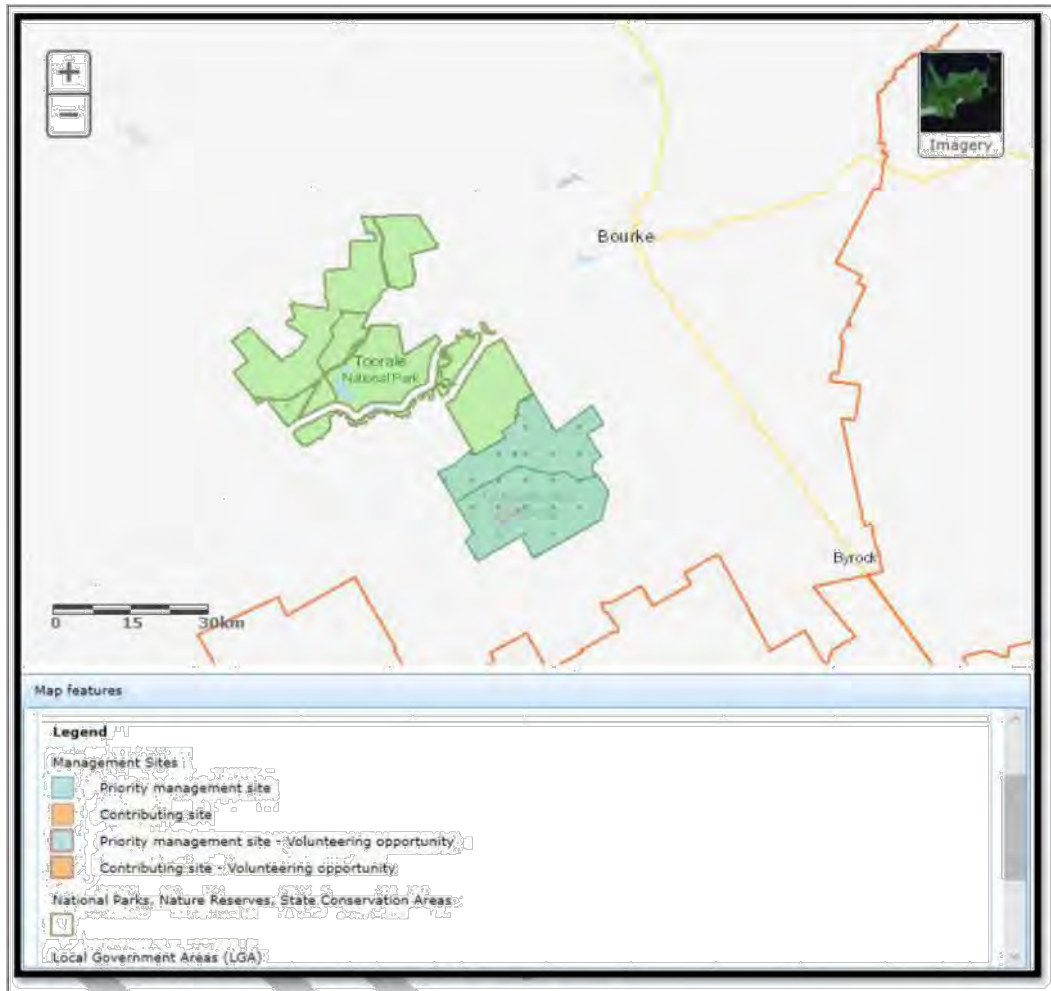
Export to excel

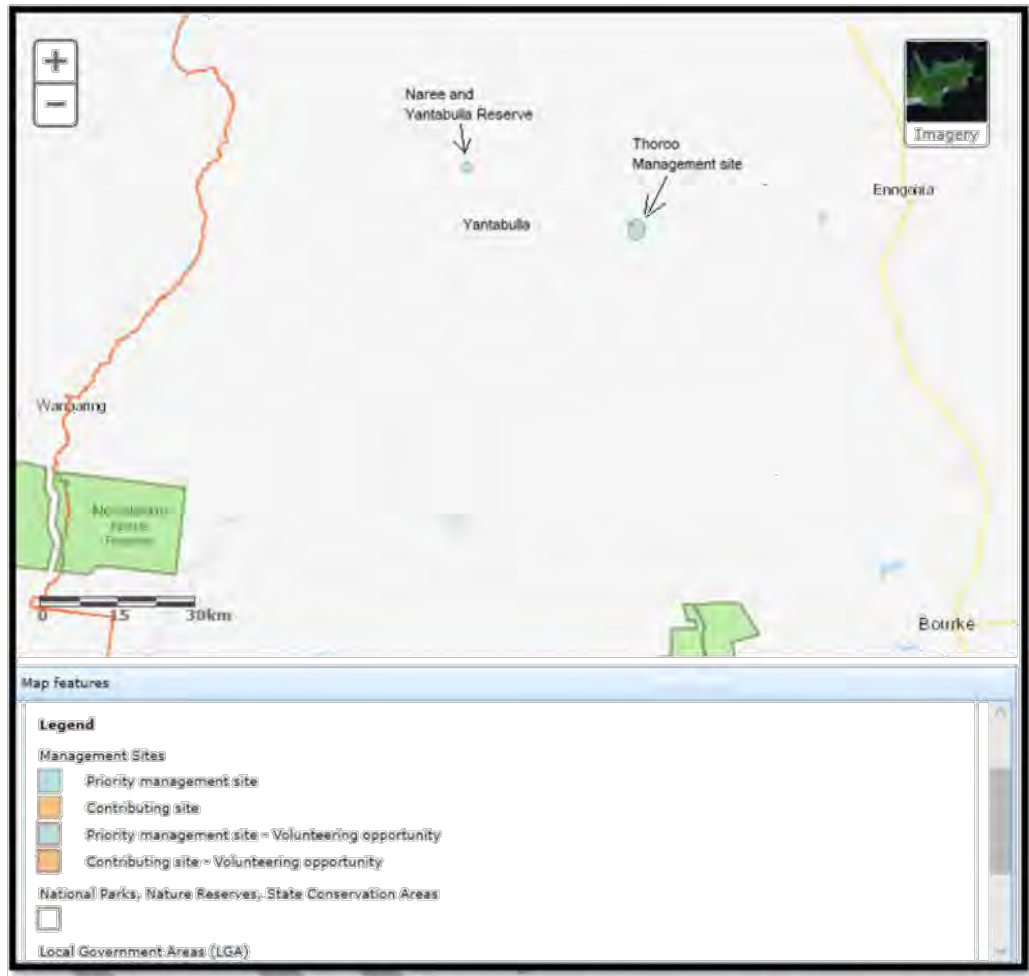
(Click on column headers to sort)

Site name	Threatened species	Local government area (LGA)	Status	Site type
<u>Dundabooka National Park</u>	Curly-bark Yattle (Acacia curvata)	Bourke	Active	Priority management site
<u>Scrubber</u>	Artesian Springs Ecological Community in the Great Artesian Basin (Artesian Springs Ecological Community in the Great Artesian Basin)	Bourke	Proposed	Priority management site
<u>Artesian #1</u>	Artesian Springs Ecological Community in the Great Artesian Basin (Artesian Springs Ecological Community in the Great Artesian Basin)	Bourke	Proposed	Priority management site
<u>Thoroo</u>	Artesian Springs Ecological Community in the Great Artesian Basin (Artesian Springs Ecological Community in the Great Artesian Basin)	Bourke	Proposed	Priority management site
<u>Old Grants</u>	Artesian Springs Ecological Community in the Great Artesian Basin (Artesian Springs Ecological Community in the Great Artesian Basin)	Bourke	Proposed	Priority management site
<u>Dundabooka National Park</u>	Greenhood Orchid (Pterostylis coarctata)	Bourke	Proposed	Contributing site (regional priority)
<u>Dundabooka National Park</u>	Chilomenia galoides (Ockenfelsia polioles)	Bourke	Proposed	Priority management site
<u>Naree and Yanabulla Reserves</u>	Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Gobar, Fenepah and Midge Lands Bioregion (Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Gobar, Fenepah and Midge Lands Bioregion)	Bourke	Active	Priority management site

Source: <https://www.environment.nsw.gov.au/savingourspeciesapp/SearchResults.aspx> [Accessed on 20 Oct 2020]







Map 2: Naree and Yantabulla and Thoroo Management Sites north of Yantabulla. *Note, Yantabulla War Memorial is located within Yantabulla and remote from these Management Sites.

GENERIC PLAN OF MANAGEMENT CROWN RESERVES

3.13 Aboriginal and Torres Strait Islander Heritage

The Bourke Shire has strong links to its Aboriginal and Torres Strait Islander people and heritage. Aboriginal sites on Crown Reserves recorded in the AHIMS (Aboriginal Heritage Inventory Management System) register for the Bourke LGA have shown three (3) recorded sites within the Banks of Darling Reserve and seven (7) within or near the Bourke Fishing Reserve. It should be noted that these are the only reserves with recorded items in this state register. There may be and most likely are, more Aboriginal items on other reserves, they are simply not recorded as yet.

Due to the above reasons, both the Banks of Darling and Bourke Fishing Reserves were categorised as Natural Area – Bushland. This allows for protection and retention of the inherent natural features of the sites whilst still permitting public access and protection of the items within the reserves.

Prior to issuing a tenure over a Crown Reserve, Council is required to consider any claims made under the NSW Aboriginal Land Rights Act 1983 and ensure that if any tenure is granted or works carried out, that the land will be easily transferable if the claim is successful.

3.13.1 Process of recording when items are found

There will be times where items or places within Crown Reserves are discovered as having the potential for Aboriginal or Torres Strait Islander heritage significance. When this occurs, a process follows to ensure the protection of the place or item, in accordance with recognised and documented measures.

The Office of Environment and Heritage manages the Aboriginal Heritage Information Management System (AHIMS) and also advises on methods of recording place and items of significance to Aboriginal people.

If an item is found and intended to be recorded on the AHIMS register, the Heritage NSW prefers the information to be uploaded via mobile app or through the desktop platform. The following link details the process involved. <https://www.heritage.nsw.gov.au/protect-our-heritage/record-aboriginal-sites/>


With all sites of potential significance, the best course of action is to stop, consult and record.


Stop: cease any physical work in/near the item;

Consult: contact Council or the Office of Environment and Heritage for the process of recording the item;


Record: take scaled images, videos and address/GPS coordinates of the item for inclusion in the recording process.

Appendix 1 Location Maps and Specific Actions for sites


Reserve Number	Reserve Purpose	Categorisation
95619: Lot 6867 DP 48668	Community Centre	General Community Use
		
Commentary	The Enngonia Community Centre has been used for CWA meetings and is now used for community meetings and gatherings.	
Size	1.43ha	
Current applicable plans	No specific Council plans identify this site for future works at present.	
Current & permissible leases/licences	The site is not leased or licenced. This does not restrict future leases being permitted on this reserve lot providing the use fits with this PoM and the original intent for the site.	
Threatened Species/ Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	General maintenance of the site and repairs to the Centre. Any future planned upgrades to be referred to Council's Native Title Manager for validation.	

Reserve Number	Reserve Purpose	Categorisation
Reserve 91239 Bourke Flood Mitigation Line Lot 7319 DP 1182581 Lot 7318 DP 1182581	Flood Mitigation	General Community Use
		
Commentary	This site is substantially cleared and serves the purpose of flood mitigation. Guidance categorisation appropriate. If upgrading works are proposed in future for levee bank, this can be done as it is in accordance with the original dedicated purpose.	
Size	2.58ha	
Current applicable plans	No specific Council plans identify this site for future works.	
Current & permissible leases/licences	No existing leases. None envisaged. Any leases/licences to consider ability to return land to claimants if ALC successful.	
Threatened Species/ Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.	
Management for this Site	Continued use as a flood levee. Could be utilised as a walking track, subject to necessary levee integrity assessments and subsequent maintenance.	




Reserve Number	Reserve Purpose	Categorisation
Reserve 82817 Yantabulla War Memorial Hall Lots 4-5 Section 4 DP 759132	Hall War Memorial	General Community Use
		
Commentary	Current use is for community gatherings and meetings. General Community Use best aligns with current and original dedicated use.	
Size	4056m ²	
Reserve Purpose	Hall; War Memorial	
Current applicable plans	None applicable.	
Current & permissible leases/licences	These lots and the buildings on them are currently not leased or licenced. Council may consider leasing the Hall to formalise access arrangements.	
Threatened Species/ Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. No AHIMS items listed on the lots.	
Management for this Site	Maintenance of the Hall and associated structures on site.	



Reserve & Name	Reserve Purpose	Categorisation
Reserve 87926: Bourke Recreation and Parking Lot 7019 DP 1126645	Parking Public Recreation	Park
		
Commentary	Current use of this reserve is a carpark in Bourke, as originally reserved.	
Size	4,147m ²	
Reserve Purpose	Parking, Public Recreation	
Current applicable plans	No specific Council plans identify this site for future works.	
Current/permissible leases/licences	No current leases or licenses over this land. Any tenancies issued to consider ability to return land to claimants if ALC successful.	
Threatened Species/ Aboriginal/European Heritage	Site cleared – no PCT listed on site. No AHIMS listings on site. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2017.	
Management for this Site	Maintain and consider options for community facilities on site which comply with the categorisation and make use of site being on a major entrance to the town.	



Reserve & Name	Reserve Purpose	Categorisation
Reserve 81825: Byrock Community Hall Lots 4, 6-11 Section 10 DP 758205	Public Hall Public Recreation	General Community Use, Park
		
Commentary	This reserve is currently used as a community hall for gatherings and meetings. The reserve also contains a number of other vacant lots.	
Size	1.31ha	
Reserve Purpose	Public Hall; Public Recreation	
Current applicable plans	No current plans in place. Native Title application lodged over this reserve (see Tribunal No NC2012/001). Application includes vast area spanning a number of LGA's.	
Current & permissible leases/licences	This reserve is currently not leased or licenced. Council may consider leasing the Hall and/or surrounds to formalise access arrangements and allow greater usage of the reserve.	
Threatened Species/ Aboriginal/European Heritage	No PCT listed on site. No AHIMS listings on site.	
Management for this Site	Continued maintenance of the Hall and surrounds. Apply for grant funding through the Crown Reserves Improvements Fund for upgrades/maintenance at the site. Prior to any future acts, works, leases or licences taking place over this reserve, full Native Title Report to consider above application contents.	



Reserve & Name	Reserve Purpose	Categorisation
Reserve 82807: Louth Tennis Club Lots 1, 10 Section 2 DP 1275, Lot 7016 DP 757374 *note Lot 7016 is middle lot below.	Public Recreation	General Community Use, Park



Commentary	This site is in the township of Louth and substantially cleared so the PCTs showing across the site are inaccurate. This Reserve is used for the RFDS, playground, health services and tennis.
Size	3,474m ²
Reserve Purpose	Public Recreation
Current applicable plans	New Royal Flying Doctor Service (RFDS) building has recently been constructed on Lot 10 (2020).
Current & permissible leases/licences	No current leases. This PoM expressly permits new leases to be drafted for Tennis Club user groups and the RFDS facility.
Threatened Species/ Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. No AHIMS listings on the reserve.
Management for this Site	Future management to include maintenance of the existing buildings and facilities. RFDS building to be maintained by owner and facilitated by Council.



Reserve & Name	Reserve Purpose	Categorisation
Reserve 89062: Bourke Showground Lot 1 DP 766822, Lot 732 DP 851508, Lots 7030-7031 DP 1110368	Public Recreation Showground	General Community Use, Natural Area – Bushland *See map below




Commentary	Due to the vast uses on this cleared site, general community use was the best aligned category. This Reserve is used for the Bourke Show, Race Days (Racetrack), Pony Club, ParkRun, and the Shooting Club. A dirt bike track and lockable shelters for stray companion animals are also located on the reserve.
Size	149.5ha
Current applicable plans	There are plans to upgrade existing facilities on site in line with Council’s adopted Asset Management Plans.
Current & permissible leases/licences	These lots are not currently leased or licenced. Despite this, this Plan of Management expressly permits leasing and licensing of this reserve for current uses including running track, race meets, agistment for stock/horses, shooting range, show meets and general hire. Any tenancies issued to consider ability to return land to claimants if ALC successful.
Threatened Species/ Aboriginal/European Heritage	No recorded AHIMS items on site. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.



<p>Management for this Site</p>	<p>Management at the Showground will include continued maintenance of the various Showground structures and facilities. Due to the varied uses on this reserve, masterplanning at the Showground, incorporating a landscape concept plan, access and parking and future expansions should be carried out within the next five years.</p> <p>Renshaw Oval and the Showground is specifically mentioned in Council's <i>Draft Parks and Gardens Management and Operational Plan</i>. An extract of this Plan is shown below with relevant management considerations drawn into this Plan of Management. Annual checks to be carried out and the table below to be updated with new Parks and Gardens plan.</p> <p>Species list for new plantings: Tree/shrub species: Eucalyptus coolabah subsp. coolabah / Acacia stenophylla , Muehlenbeckia florulenta , Rhagodia spinescens / Paspalidium jubiflorum , Leptochloa digitata , Einadia nutans subsp. Nutans. Native grasses: Dissocarpus biflorus var. biflorus , Sclerolaena calcarata , Sclerolaena bicomis var. horrida , Chenopodium auricomum / Astrebla lappacea , Chloris truncata , Leiocarpa brevicompta.</p>
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Reserve & Name	Reserve Purpose	Categorisation
86273: Bourke Fishing Reserve Lots S2, 71 DP 751848 Long Meadows Road Bourke	Public Recreation	Natural Area - Bushland
		
Commentary	Located 6km west of Bourke, this reserve is bordered to the north by the Darling River and retains its natural bush setting. Recent new seating installed.	
Size	161 Sha	
Current applicable plans	Bourke Fishing Reserve Plan of Management (2018) – relevant intentions included in this Plan.	
Current & permissible leases/licences	This reserve is currently not leased or licenced. No plans for future leasing or licensing. Any leases/licences to consider ability to return land to claimants if ALC successful.	
Threatened Species/ Aboriginal/European Heritage	No known threatened species on site. AHIMS register shows potential for up to 7 Aboriginal sites within or near the Reserve. Location & nature of items kept in confidence class. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.	
Management for this Site	Controlled access to site; signage noting potential for cultural relics to be present; explain benefits of relics being left “in-situ” & process of reporting any damage. Access to site always readily available, especially for Aboriginal and Torres Strait people. Species list for new plantings: Casuarina cristata, Alectryon oleifolius subsp. canescens / Einadia mutans subsp. eremaea, Paspalidium jubiflorum, Sclerolaena muricata var. muricata, Salsola tragus subsp. Tragus. Closer to river, use Eucalypt subspecies.	




Reserve & Name	Reserve Purpose	Categorisation
1002192: Enngonia RFS Lot 6866 DP 48668	Urban Services	General Community Use



Note: boundary inaccuracies exist with planning portal mapping

Commentary	Originally dedicated for urban services, this reserve houses the town's Rural Fire Services Shed. This reserve couples with Reserve number 95619, which contains the Enngonia Community Centre.
Size	401m ²
Reserve Purpose	Urban Services
Current applicable plans	No current plans in place.
Current & permissible leases/licences	This reserve is currently not leased or licenced. No future leases or licenses are envisaged for this site.
Threatened Species/ Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.
Management for this Site	Maintenance of the shed and surrounds. Council to assist RFS with any site management issues & check for lease/licence for reserve, in accordance with Native Title requirements.



Reserve & Name	Reserve Purpose	Categorisation
Reserve 1000551: Fort Bourke Stockade Site: Lot 1 DP 947303	Recreation	Natural Area - Bushland
		
Commentary	The Fort Bourke Stockade site is located on the south-western side of Bourke and contains a replica of the stockade built by Major Mitchell in 1835, named Fort Bourke after the Governor of the colony, Governor Bourke. (www.bourkelibrary.com.au) It is accessed via deposit key from Bourke Shire Council. Fort Bourke was referenced in the Bourke Community Heritage Study in 1999.	
Size	1.43ha	
Current applicable plans	Council has no plans to upgrade this site at present.	
Leases/licences	None applicable at present. Any tenancies issued to consider ability to return land to claimants if ALC successful.	
Plant Community Type/Threatened Species/Aboriginal/European Heritage	Plant Community Type: Coolabah – Lignum woodland wetland; frequently flooded floodplain. No specified Council works have been identified on this site with respect to recovery and threat abatement plans for threatened species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment. Evidence of European historic links as noted in Commentary above. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.	
Management for this Site	This Park is retained for recreation whilst maintaining its historic links to the past. With Access provided via deposit/key from Council, future management includes retention of native vegetation, weed management and monument protection. Species list for new plantings: Eucalyptus coolabah subsp. coolabah / Acacia stenophylla , Muehlenbeckia florulenta , Rhagodia spinescens / Paspalidium jubiflorum , Leptochloa digitata , Einadia nutans subsp. nutans	

Extract from Bourke Community Heritage Study: Fort Bourke

Mitchell, who had been displeased at the attention paid to Sturt, was finally able in 1835 to mount his own expedition to test the relationship between the Darling and the Murray. As he approached the Darling along the Bogan River and then turning west on the Little Bogan, Mitchell camped near the later Mooculta station and on 25 May 1835 came onto the bank of the Darling some six kilometres above Bourke where, luckier than Sturt, he found the water potable. Moving his bullock-draws and boats across country close to the site of the later town, Mitchell rejoined the Darling at Eight Mile Lagoon and between 27 and 29 May 1835 built a stockade.

This stockade, tactfully named Fort Bourke, after the governor, created a depot which was defensible against possible attack from Aboriginal people, who were numerous, though not apparently hostile. It was built of horizontal logs and measured 5 metres by 9 metres, according to Surveyor Arthur who inspected it in 1860, while choosing the site for the proposed town of Bourke.


The stockade and the wooden stockyard nearby were not the first structures built by Europeans on the Darling, however, on 10 June Mitchell found a large hut made with marks of iron tools further downstream not far from a tree bearing the initials of Hamilton Hume. But Fort Bourke was the first official European building on the Darling, named after the governor and thought of by Mitchell as possibly the nucleus of a future township.


Mitchell's exploration of the Darling noted one of the impediments to river passage which would continue to be a constraint on Bourke's access to the Murray. In taking boats downstream from Fort Bourke, the party was threatened by the rock-scatter in the river at Jandra, one of the numerous hazards to later paddle-steamers on the last stage from Louth to Bourke. The rest of Mitchell's exploration, done without the boats, went as far as Menindee, where he turned to avoid potentially serious conflict with Aboriginal people; even in a fairly dry period, there were warnings of how vulnerable to bogging wheeled vehicles would be after rain.

During Mitchell's absence, Fort Bourke and the stock brought as food supplies were guarded by seven men, who were not troubled by Aboriginal curiosity, let alone aggression. Mitchell's party returned from Menindee after ten weeks on 10 August 1835 and Fort Bourke was abandoned two days later.

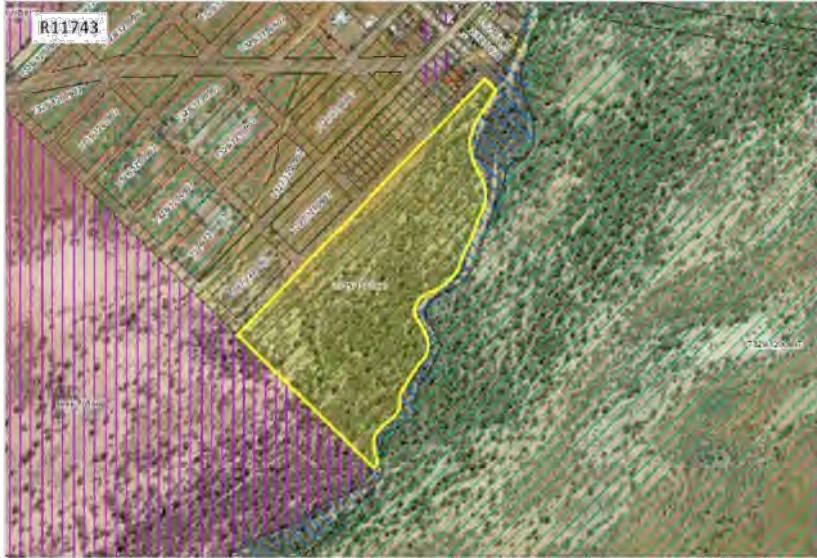


Reserve & Name	Reserve Purpose	Categorisation
Reserve 77500: MA Davidson Memorial Oval: Lot 87 DP 1128287	Cricket Ground/Public Recreation	Sportsground
		
Commentary	This Reserve is located off Wilson Street and contains the Bourke PCYC complex, cricket oval, grandstand, toilet and canteens facilities.	
Size	2.55ha	
Current applicable plans	Plans for new change rooms, amenities and a meeting room, subject to funding.	
Current & permissible leases/licences	None at present. Express authorisation for leases/licences to be issued on this reserve for regular users of the oval, including sporting groups	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. No specified Council works have been identified on this site with respect to recovery and threat abatement plans for threatened species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	This Park is retained for recreation and active sporting uses. Consider structural assessment of grandstand and any required works, consider masterplan for Davidson and Coolican Ovals which can then attract further grant funding. Continue to liaise with PCYC regarding their intentions for management of the complex.	


Reserve & Name	Reserve Purpose	Categorisation
Reserve 1010089: Wharf Area Park Reserve: Lot 11 Section 85 DP 758144	Public Recreation	Park
		
Commentary	This small reserve located on Mitchell Lane near the River is hardly noticed within a larger park managed by Council. Despite this, with a category of Park, it forms part of the Reserves managed by Council on behalf of the Crown. See plan below.	
Size	13.59m ²	
Current applicable plans	None – forms part of larger riverside park.	
Current leases/licences	None applicable.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. No specified Council works have been identified on this site with respect to recovery and threat abatement plans for threatened species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	This Park is retained for recreation as part of larger riverside park. To be managed as part of larger park maintenance.	


Reserve & Name	Reserve Purpose	Categorisation
Reserve 1014628 Enngonia Recreation Reserve; Lots 100-101 DP 1145731	Public Recreation	Park, Sportsground
		
Commentary	This reserve contains a football ground, small amenities buildings and shelters and tracks and native vegetation. It is located on the southern edge of Enngonia and provides recreational facilities for the town.	
Size	7.62ha	
Reserve Purpose	Public Recreation	
Current applicable plans	None apply	
Current & permissible leases/licences	None at present	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. No specified Council works have been identified on this site with respect to recovery and threat abatement plans for threatened species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	This Park is retained for recreation purposes including sporting uses. New amenities buildings on site to be maintained for local use. Weed control.	




Reserve & Name	Reserve Purpose	Categorisation
Reserve 11743 (Unknown) Wanaaring, Lot 7325 DP 1200907	Public Recreation	Natural Area - Bushland
		
Commentary	This reserve borders the Paroo River in Wanaaring and contains vegetation including <i>Eucalyptus largiflorens</i> / <i>Acacia stenophylla</i> , <i>Muehlenbeckia florulenta</i> , <i>Rhagodia spinescens</i> / <i>Enteropogon acicularis</i> , <i>Oxalis chnoodes</i> , <i>Marsilea drummondii</i> . These species are grouped into a vegetation type called 'Black Box woodland wetland on NSW central and northern floodplains' (NSW Government, BioNet Vegetation Classification)	
Size	26.41ha	
Current applicable plans	Native Title Determination issued over this Reserve. Refer to Tribunal No NCD2015/001 (Barkandji Traditional Owners #8)	
Current & permissible leases/licences	None at present. Any tenancies issued to consider ability to return land to claimants if ALC successful.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site. No specified Council works have been identified on this site with respect to recovery and threat abatement plans for threatened species. No AHIMS items on this lot. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.	
Management for this Site	Retain as passive park, weed control. NOTE: Because a Native Title determination exists on this reserve, any future acts will require consultation with Native Title holders through the National Native Title Tribunal. Species list for new plantings: <i>Eucalyptus largiflorens</i> / <i>Acacia stenophylla</i> , <i>Muehlenbeckia florulenta</i> , <i>Rhagodia spinescens</i> / <i>Enteropogon acicularis</i> , <i>Oxalis chnoodes</i> , <i>Marsilea drummondii</i> .	




Reserve & Name	Reserve Purpose	Categorisation
Reserve 230036 May's Bend; Lot 7322 DP 1182264	Public Recreation	Natural Area - Bushland
		
Commentary	Located north of Bourke on the Darling River, this reserve contains primitive camping areas amongst floodplains.	
Size	301.45ha	
Current applicable plans	None apply	
Current & permissible leases/licences	None at present. Could be grazed for understorey vegetation management and weed control if deemed appropriate through temporary licence. Any tenancies issued to consider ability to return land to claimants if ALC successful.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. No specified Council works have been identified on this site with respect to recovery and threat abatement plans for threatened species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.	
Management for this Site	Retain as passive park with native vegetation regeneration promoted, biodiversity offsets to be considered. Fencing to allow free movement of fauna, particularly along the River. Leave fallen logs and snags in riverbank in situ for fish habitat and protection. Species list for new plantings: Casuarina cristata, Alectryon oleifolius subsp. canescens / Einadia nutans subsp. eremaea, Paspalidium jubiflorum, Sclerolaena muricata var. muricata, Salsola tragus subsp. Tragus.	


Reserve & Name	Reserve Purpose	Categorisation
Reserve 230037: Yantabulla Recreation Reserve; Lot 1 DP 34989	Public Recreation	Natural Area - Bushland
		
Commentary	Remote reserve located south of Yantabulla and partly traversing the airstrip. This reserve borders Crown Reserve 816104, also included in this Plan of Management. These two reserves to be read in tandem.	
Size	5.89ha	
Current applicable plans	None apply	
Current & permissible leases/licences	None at present. Could be fenced and grazed if deemed an appropriate management tool.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Airstrip to be kept clear of vegetation and movement of fauna (if actively used). Remaining reserve to be left for natural vegetation regeneration. As for Yantabulla Recreation Reserve B, consider Federal funding application streams for fencing under safety and accessibility of remote airstrips. Species list for new plantings: Corymbia tumescens, Eucalyptus populnea subsp. bimbil / Acacia aneura, Senna form taxon filifolia / Aristida contorta, Aristida jerichoensis var. subspimlifera, Thyridolepis mitchelliana.	



Reserve & Name	Reserve Purpose	Categorisation
Reserve 230039: Wanaaring Recreation Reserve; Lot 18 DP 722955	Public Recreation	Park
		
Commentary	Small reserve located on the Paroo River adjacent to the Highway in Wanaaring.	
Size	1608m ²	
Current applicable plans	Native Title application lodged for compensation for this reserve and adjacent lands (Tribunal No NP2020/001).	
Current & permissible leases/licences	None at present. Could be fenced and grazed if deemed an appropriate management tool.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Retain as passive open space, riverbank stabilisation works. Due to potential for Native Title to be determined on this reserve, any future proposed works or leases/licences to be issued must have full Native Title Report completed.	




Reserve & Name	Reserve Purpose	Categorisation
Reserve 230080: Wanaaring Playground; Lot 18 Section 25 DP 759042	Public Recreation	Park
		
Commentary	This reserve is currently underutilised and provides road access to nearby dwellings.	
Size	1275m2	
Current applicable plans	None apply	
Leases/licences	None at present. None envisaged.	
Threatened Species/Aboriginal/European Heritage	Site is cleared so no significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Council to discuss all open space areas within Wanaaring to determine future developments and priorities. Funding works currently being expended on Wanaaring Hall (June 2020). Retain as passive open space.	

Reserve & Name	Reserve Purpose	Categorisation
Reserve 72379: Jones Park, Lot 7021 DP 1126316	Public Recreation	Park
		
Commentary	Located on the corner of Moculta and Short Streets, this reserve is a passive open park with tree plantings and playground equipment.	
Size	2410m2	
Current applicable plans	Draft Parks and Gardens Management & Operational Plan 2013	
Current & permissible leases/licences	None at present. Express authorisation for lease/licences on this reserve for pop-up market days (if deemed appropriate).	
Threatened Species/Aboriginal/European Heritage	Site is cleared so no significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Assess strategic location of play equipment in smaller town parks, lighting and provision also of passive park lands such as this reserve.	



New playground works completed at Jones Park (2020)


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Reserve & Name	Reserve Purpose	Categorisation
Reserve 78045: North Bourke Boat Ramp; Lot 113 DP 751867	Public Recreation	Park
		
Commentary	Located just north of the Bourke township, this public park provides boat access to the River as well as a number of picnic seating areas and BBQ shelters. The boat ramp was reconstructed in 2018 with funding from Road and Maritime Services.	
Size	12.23ha	
Current applicable plans	None at present	
Leases/licences	None at present. Express authorisation for licences over this reserve for regular users such as a ski club or the like to utilise the boat ramp reserve.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Council to seek further funding and work with user groups and the community to determine site priorities including bank stabilisation works, primitive camping ground regulation requirements and access. Additional scope for this Reserve to be masterplanned with additional facilities/plantings of endemic species to complement existing and identified needs. As for the Maritime Reserve, riverbank stabilisation measures to follow advice from Water NSW where vegetation species will survive.	



North Bourke Boat Ramp Reserve Oct 2019

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Reserve & Name	Reserve Purpose	Categorisation
Reserve 80924: Swimming Pool and Coolican Oval; Lot 7300 DP 1125511, Lot 7301 DP 1129135	Public Recreation	Sportsground, Park
		
Commentary	This Reserve borders the MA Davidson Memorial Oval and provides key sporting a recreational facilities for the town/region. Pool complex refurbishment works are to be completed by the 2021/22 season opening, including new barbeques and shade as well as refurbishment of the pool. See images over, courtesy Bourke Shire, taken April 2020.	
Size	2.94ha	
Reserve Purpose	Public Recreation	
Current applicable plans	Bourke Swimming Pool Masterplan	
Current & permissible leases/licences	None at present. Express authorisation permitted here for leasing/licensing of the pool to contractor for management and to sporting associations/clubs for regular usage.	
Threatened Species/Aboriginal/European Heritage	Site cleared so no significant Plant Community Types on site to indicate habitat of threatened/endangered species. No AHIMS items on site.	
Management for this Site	Complete proposed refurbishment works at the pool complex and seek further funding while working with local user groups on planned works.	







Bourke Pool improvements


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Reserve & Name	Reserve Purpose	Categorisation
Reserve 83073: Davidsons Loch and Weir; Lot 23 DP 751848	Public Recreation	Park
		
Commentary	This large passive open space area contains access tracks and native vegetation. Proposed to retain park in natural state, allowing floodplain vegetation to regenerate and flourish.	
Size	18.05ha	
Current applicable plans	None applicable	
Current leases/licences	None at present. Possibility to issue a lease/licence for grazing for weed control.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Retain passive park and floodplain vegetation. Consider utilising biodiversity credits scheme. Due to this reserve's floodprone location, any filling of this land requires prior consent from Council.	


Reserve & Name	Reserve Purpose	Categorisation
Reserve 85027: Bourke Pump Station; Lot 633 DP 761664	Public Recreation	Park
		
Commentary	Although this reserve is named the Pump Station, the river pump is located on another allotment, also managed by Council. This passive park provides river access and includes part of the town's levee.	
Size	2085m2	
Current applicable plans	None applicable	
Current & permissible leases/licences	None at present. Any tenancies issued to consider ability to return land to claimants if ALC successful.	
Threatened Species/Aboriginal/European Heritage	Site mostly cleared so no significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.	
Management for this Site	Council to include this reserve in Delivery and Maintenance program works budget, including bank stabilisation works which could be offered up as a demonstration site.	

Reserve & Name	Reserve Purpose	Categorisation
Reserve 86104: Yantabulla Recreation Reserve B: various lots as depicted below.	Public Recreation	Natural Area - Bushland
		
Commentary	Remote park, intended to be retained for natural vegetation regeneration, with the exception of the Yantabulla airstrip which dissects this reserve which is to be kept cleared for safety reasons. This reserve is bordered on the north and east by the Yantabulla Private Nature Reserve.	
Size	16.Sha	
Current applicable plans	None applicable	
Leases/licences	None at present. Possibility to issue a lease/licence for grazing for weed control.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. This reserve is located adjacent to the Yantabulla Private Nature Reserve so significant species could be frequent in the area. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Retention of native vegetation on remaining parcels. Species list for new plantings: <i>Corymbia tumescens</i> , <i>Eucalyptus populnea</i> subsp. <i>bimbil</i> / <i>Acacia aneura</i> , <i>Senna form taxon filifolia</i> / <i>Aristida contorta</i> , <i>Aristida jerichoensis</i> var. <i>subspinulifera</i> , <i>Thyridolepis mitchelliana</i>	



Reserve & Name	Reserve Purpose	Categorisation
Reserve 230090: Wanaaring Emergency Airstrip Lot 6711 DP 822039	Urban Services	General Community Use
		
Commentary	Originally dedicated for urban services, this emergency airstrip serves its purpose in a remote location.	
Size	18.1ha	
Current applicable plans	Council has no plans to upgrade this site at present. Current Native Title Determinations on this reserve (see Tribunal No's NP2020/001, NCD2015/001, NI2018/007).	
Current & permissible leases/licences	This reserve is currently not leased or licenced through Council. This PoM expressly permits issuing a licence on this reserve to an aerial spray or other agribusiness. Total leasing of the site is not permissible to ensure emergency aircraft retain access to the airstrip.	
Threatened Species/ Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/ endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Following rains and when the airstrip could be in use, clearing of the site to ensure limited access by wildlife. Boundary fencing to limit straying of fauna onto airstrip. Prior to conducting any future acts, works, issuing any licences or leases over this land, the above Native Title Determinations are to be assessed and a full Native Title Report to be carried out to determine if works may proceed. Native Title Report to be submitted to Dept of Industry (Crown Lands).	



Reserve & Name	Reserve Purpose	Categorisation
87481: Louth Cricket Ground (see multiple lot numbers below)	Public Recreation	Sportsground
		
Commentary	Open cricket ground at the entrance to Louth. This reserve contains shelter, new boundary fence and amenities blocks.	
Size	3.56ha	
Current applicable plans	None applicable	
Current & permissible leases/licences	None at present.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Assess buildings for asbestos and whether it should be replaced, maintain grounds, weed control.	




Reserve Name & Number	Reserve Purpose	Categorisation
87545: Enngonia Tennis Club Lot 7307 DP 1182875	Public Recreation	Sportsground
		
Commentary	Bordering the Enngonia Recreation Reserve, the tennis club houses two tennis courts and a small shelter.	
Size	1503m ²	
Current applicable plans	None applicable	
Current & permissible leases/licences	None at present.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Discuss maintenance of courts with local user groups, weed control.	


Reserve & Name	Reserve Purpose	Categorisation
Reserve 81309: Enngonia War Memorial Lot 10 Section 11 DP 758389	War Memorial	General Community Use
		
Commentary	Although originally set aside for a war memorial, at the time a Public Hall was constructed instead on the reserve to meet the needs of the local community. The Hall is still used for a community meeting space, being utilised by Council for meetings and the community for funerals. The Hall was constructed in 1957 and was recently upgraded by Council with kitchen facilities, relined and an accessible ramp installed.	
Size	22017m2	
Current applicable plans	Council recently upgraded Hall with kitchen facilities, relining and accessible ramp installed.	
Current & permissible leases/licences	This reserve is currently not leased or licenced through Council. No future leases or licenses are envisaged for this site however if approached to lease the building for a community purpose, this PoM permits this usage.	
Threatened Species/ Aboriginal/European Heritage	No Plant Community Types listed on site. No AHIMS listings.	
Management for this Site	Continued maintenance and improvement of the memorial building. Consider applying through the Crown Reserves Improvement Fund for upgrades.	

Reserve Name & Number	Reserve Purpose	Categorisation
9307: Central Park Lot 83 DP 822050	Public Recreation	Park, Sportground
		
Commentary	Central Park is located within the same block as the Bourke Bowling Club and houses tennis courts, Cenotaph, a skate park, fitness equipment, a rotunda and seating/BBQ facilities with tree plantings. It is one of the more formal parks within Bourke.	
Size	1.56ha	
Current applicable plans	Draft Parks and Gardens Management Operational Plan 2013	
Current & permissible leases/licences	None at present. Express authorisation for this Reserve to be leased/licenced to sporting clubs/associations and personal trainers for regular use of the courts and park for sport and fitness group classes. Express authorisation for licences also permitted here for market days in the Park.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Consider masterplan for Central Park which sits alongside Davidson and Coolican Ovals, assess pedestrian access to, from and within this Park, shade and utilisation by locals. General maintenance and weed control, lighting and use of gravel pathways for natural drainage/infiltration. Rotunda assessed as having Local Significance in the Bourke Heritage Study 1999. Rotunda, built around 1890, to be maintained as is in acc with this Study.	



Reserve Name & Number	Reserve Purpose	Categorisation
96634: Wanaaring Recreation Reserve	Public Recreation	Natural Area – Bushland, Sportsground
		
Commentary	One of the larger reserves in the Shire, this reserve borders Reserve 11743 on the Paroo River. This Recreation Reserve contains the Wanaaring Cricket ground and sparsely vegetated open space. The reserve's vegetation type is dominated by Whitewood - Western Rosewood, which is a low woodland of the NSW north western plains (NSW Government, State Vegetation Type Map).	
Size	16.5ha	
Current applicable plans	No Council plans to develop the reserve. Current Native Title determination and application over this Reserve (see Tribunal No NCD2015/001 and NP2020/001).	
Current & permissible leases/licences	None at present. Possibility to issue a lease/licence for grazing for weed control.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Retain natural features of the site and investigate feasibility of cricket ground improvements. Due to Native Title implications, any works proposed in this reserve or leases/licences to be issued require a full Native Title Report to be prepared. Species list for new plantings: <i>Atalaya hemiglauca</i> , <i>Alectryon oleifolius</i> subsp. <i>canescens</i> / <i>Acacia aneura</i> , <i>Acacia aneura</i> s. lat., <i>Eremophila duttonii</i> , <i>Eremophila deserti</i> / <i>Enneapogon avenaceus</i> , <i>Aristida contorta</i> , <i>Sclerolaena birchii</i>	



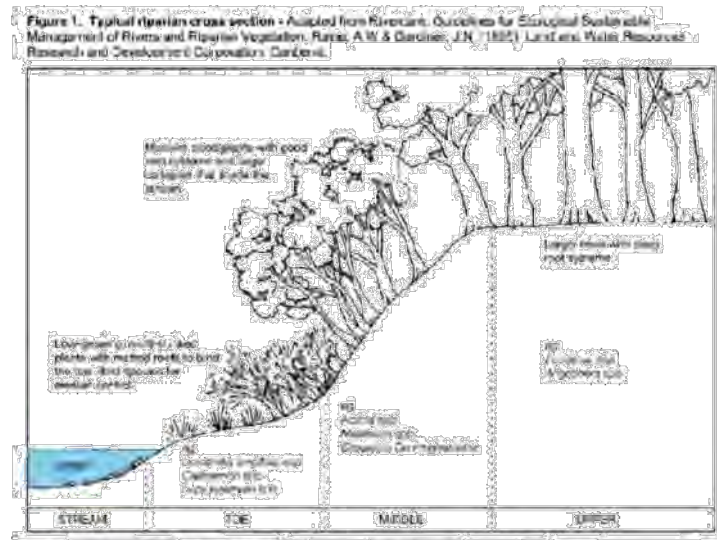
Reserve Name & Number	Reserve Purpose	Categorisation
96928: Banks of Darling Lots 42, 45 DP 722925, Lot 40 DP 753574	Public Recreation	Natural Area - Bushland
		
Commentary	This reserve has links to Indigenous and European settlement history, including links to historic maritime services. Large parcel of riverfront reserve. Lot 45 recorded/included in Bourke Community Heritage Study with Maritime links assessed as having local significance.	
Size	112.28ha	
Current applicable plans	Interpretive signs provide maritime walking/driving trail. No formal/future plans set for this reserve.	
Current & permissible leases/licences	None at present. Possibility to issue a lease/licence for grazing for weed control providing relics (from Indigenous occupation and European heritage) are protected. Any tenancies issued to consider ability to return land to claimants if ALC successful.	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. This reserve contains items listed on the Aboriginal Heritage Information Management System (AHIMS) – the only Crown reserve under Council’s management noted to contain Aboriginal items in the Bourke Shire. This does not mean that other reserves may not contain items – just that they may not be recorded. The location and type of items listed is kept in confidence by the Office of Environment and Heritage for reasons of protection and future retention. Following discussions with Council and Crown Lands, it is proposed to retain this area as a designated Park with the items on site kept in confidence class. This ensures the long-term protection of the Aboriginal Items recorded on site and maintains the original dedicated purpose of public recreation. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 1996.	
Management for this Site	Liaise with Bourke Local Aboriginal Lands Council to ensure plan of action is appropriate, noting AHIMS items recorded on site. Work with Maritime Services to develop plan of maintenance, including budgeted items. Determine if additional protections are required for items of Indigenous and European heritage, considering the site is open to the public. Providing snags are not hindering the movement of boating vessels (including the historic replica Jandra paddlesteamer), leave these in-situ for fish habitat and breeding. Review content and condition of interpretive signage for update. Promote the walk and signage of the maritime walk and seek funding to expand on telling the story of	



the river boats. Discuss security of the site with Council and the LALC (if deemed to be an ongoing issue). Opportunity with this site for demonstration of riverbank stabilisation works – see image below from NSW Water.

Species list for new plantings: Riverbank - *Eucalyptus camaldulensis* subsp. *camaldulensis* / *Acacia stenophylla*, *Acacia salicina*, *Muehlenbeckia florulenta* / *Paspalidium jubiflorum*, *Eleocharis plana*, *Rumex brownii*, *Einadia nutans* subsp. *Nutans*.

Inner reserve distanced from river - / *Casuarina cristata*, *Alectryon oleifolius* subsp. *canescens* / *Einadia nutans* subsp. *eremaea*, *Paspalidium jubiflorum*, *Sclerolaena muricata* var. *muricata*, *Salsola tragus* subsp. *tragus*



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Both of these images, supplied by Bourke Council, show the diversity of vegetation within the one reserve, with varying distance from the river.




Extract from Bourke Community Heritage Study 1999:

Item Name:	Maritime Park		
Location:	Banks of the Darling River, Bourke		
Address:	Banks of the Darling River	Corner:	
Suburb / Nearest Town:	Bourke 2840	State:	NSW
Other/Former Names:	Bourke Golf course		
Area/Group/Complex:		Group ID:	
Local Govt Area:	Local Government Area: Bourke	DAMP Region: Southern & Western	Fire region: Western Plains
Property Identifier:	Lot 45 DP753574		
Boundary:			
Item Type:	Stat	Group: Maritime Industry	Category: Other - Maritime Industry
Owner:	Local Government		
Owner Codes:	Code 2:	Code 3:	
Current Use:	Maritime Park		
Former Uses:	Golf course and Pastoral		
Assessed Significance:	Local	Endorsed Significance:	
Statement of Significance:	Maritime Relics, Golf, River. The Maritime relics of the river boat days, including stands of large river puns that once were used as moorings to paddle loads.		
Historical Notes or Provenance:	<p>For sometime in from the 1940's till 1951, this area (now known as the Maritime Park) was used as a golf course. The Maritime Park was established in 1997/1998 with assistance from the government. A number of interpretive signs highlight features of the area such as the remains of the paddle steamer P.S. Wave. The attraction of green grass (occasionally) and the menace of the hazard in the form of the River for golfers who hook balls, prompted a number of the then members of the Bourke Golf club to form a break-away club, known as 'The Riverview Golf Club' over the river. This club prospered, but access, in days when motor cars were few and the road via North Bourke no novelty, took the form of a flat-bottom punt into which players loaded their gear and hauled themselves across. However, repeated flooding of the course interrupted the programmes to such an extent, that in 1951 the course was established on its present site.</p>		



Reserve Name & Number	Reserve Purpose	Categorisation
97369: Enngonia Hall Lot 9 Section 11 DP 758389	Public Recreation	Park
		
Commentary	Showing here as a site for the Hall, this reserve has recently been upgraded with replacement play equipment with a shade sail cover. It also contains tables and chairs and is used as a park by the community.	
Size	2016m2	
Reserve Purpose	Public Recreation	
Current applicable plans	None applicable	
Current & permissible leases/licences	None at present.	
Threatened Species/Aboriginal/European Heritage	Substantially cleared so no significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	In consultation with local Enngonia community, discuss options for future of this site.	



Reserve Name & Number	Reserve Purpose	Categorisation
82814: Louth Tennis Courts	Tennis Courts	Sportsground
		
Commentary	The Louth Tennis Courts have received state government funding for upgrades and beautification works which are scheduled for completion in 2020/21. Upgrades to include new tennis court, footpath upgrades and new park entrance.	
Size	5164m2	
Current applicable plans	None applicable	
Current & permissible leases/licences	None at present.	
Threatened Species/Aboriginal/European Heritage	Substantially cleared so no significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Ensure funding is spent in allocated time and on budget. Works proposed are in accordance with reserve purpose and this Plan of Management. Ensure new works have Native Title report completed.	


Reserve Name & Number	Reserve Purpose	Categorisation
Reserve 83075: Eastern Reserve Lots 18, 62 DP 751848, Lots 7314-7316 DP 1182581 Lot 7317 DP 1182581	Regeneration Area	Natural Area - Bushland
Commentary	This reserve contains a number of large parcels on the southern side of Bourke. Located outside of the town's levee, this reserve is subject to inundation from flood events from the Darling River.	
Size	1,061ha	
Vegetation Types	Lignum shrubland wetland on floodplains and depressions of the Mulga Lands Bioregion, Channel Country Bioregion in the arid and semi-arid (hot) climate zones Coolabah - River Coolabah - Lignum woodland wetland of frequently flooded floodplains mainly in the Darling Riverine Plains Bioregion Mitchell Grass grassland - chenopod low open shrubland on floodplains in the semi-arid (hot) and arid zones River Red Gum tall to very tall open forest / woodland wetland on rivers on floodplains mainly in the Darling Riverine Plains Bioregion (small amounts)	
Topography	Relatively flat, gently undulating towards flood runners	
Hydrology	Undulating outer floodplain of the Darling River.	
Geology and Soils	This reserve contains Vertosols from the Australian Soil Classification which means high in clay and cracking.	
Indicative indigenous plant species	Muehlenbeckia florulenta / Enchylaena tomentosa / Eragrostis setifolia , Alternanthera nodiflora , Centipeda cunninghamii , Marsilea drummondii Dissocarpus biflorus var. biflorus , Sclerolaena calcarata , Sclerolaena bicomis var. horrida , Chenopodium auricomum / Astrebla lappacea , Chloris truncata , Leiocarpa brevicompta / Eucalyptus coolabah subsp. coolabah / Acacia stenophylla , Muehlenbeckia florulenta , Rhagodia spinescens / Paspalidium jubiflorum , Leptochloa digitata , Einadia nutans subsp. nutans Eucalyptus camaldulensis subsp. camaldulensis / Acacia stenophylla , Acacia salicina , Muehlenbeckia florulenta / Paspalidium jubiflorum , Eleocharis plana , Rumex brownii , Einadia nutans subsp. nutans	
Indicative invasive plant species/weeds	Windmill grass (<i>Chloris truncata</i> R.Br.), Cathead (<i>Tribulus terrestris</i>), Farmers Friend (<i>Bidens pilosa</i>), Marshmallow (<i>Malva parviflora</i>). Competition from weed species is a constant threat which requires regular monitoring for not only the health of the reserve but also in reducing the spread of weeds onto neighbouring farms and wider afield.	



Indicative fauna of the locality	Kangaroo, wallaby, wombat, native reptiles, avifauna
Critical habitat/Threatened Species/Threat or Recovery Abatement Plan which apply/Aboriginal Heritage	No critical habitat on this Reserve. No listed threatened species, endangered species or threat recovery or abatement plans directly apply to the site. Despite this, Council has cross-referenced the Plant Community Types (PCTs) listed by the BioNet database as occurring on the site with the potential to host threatened/endangered species. Current (incomplete) Aboriginal Land Claim lodged for this reserve in 2010.
Current leases/licences and types of leases/licences permitted	This reserve is not currently leased. This Plan of Management does not permit leasing or licencing of this reserve due to it's recognition as a Natural Area. Any leases/licences if issued to consider ability to return land to claimants if ALC successful.
Prioritised specific management actions for the site	See table below which links to LG Act objectives.

Note: Indicative plant species to be used for new plantings in line with NSW GeoSEED database.

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Reserve Name & Number	Reserve Purpose	Categorisation
Reserve 87524: Fords Bridge Recreation Reserve Lot 3499 DP 765791	Regeneration Area	Natural Area - Bushland
		
Commentary	This Reserve contains vacant, sparsely vegetated land and is located on the eastern side of Fords Bridge. It contains PCTs 43, 39, 24 which are associated with TECs. Bushland is the most appropriate sub-category for this natural area. Remnants of a prior racetrack and cricket ground with associated amenities building can be seen on aerials of the reserve.	
Reserve Purpose	Public Recreation	
Size	35.74ha	
Vegetation Type	Located just east of the Warrego River, this reserve contains the following plant communities: Canegrass swamp tall grassland wetland of drainage depressions, lakes and pans of the inland plains Coolabah - River Coolabah - Lignum woodland wetland of frequently flooded floodplains mainly in the Darling Riverine Plains Bioregion Mitchell Grass grassland - chenopod low open shrubland on floodplains in the semi-arid (hot) and arid zones	
Topography	Relatively flat, gentle westerly and northerly depression towards the Warrego	
Hydrology	Undulating outer floodplain of the Warrego River. Overland flows head to the west. This reserve is low-lying and forms part of the detention area for the Warrego flood runners.	
Geology and Soils	This reserve contains Hydrosols from the Australian Soil Classification which means they are seasonally or permanently saturated. In this location, this would be seasonally after rains.	
Indicative indigenous plant species	Eragrostis australasica, Muehlenbeckia florulenta, Sclerostegia tenuis / Chloris truncata, Disphyma crassifolium subsp. clavellatum, Eragrostis setifolia, Marsilea drummondii, Eucalyptus coolabah subsp. coolabah / Acacia stenophylla, Muehlenbeckia florulenta, Rhagodia spinescens / Paspalidium jubiflorum, Leptochloa digitata, Einadia nutans subsp. nutans, Dissocarpus biflorus var. biflorus, Sclerolaena calcarata, Sclerolaena bicomis var. horrida, Chenopodium auricomum / Astrebla lappacea, Chloris truncata, Leiocarpa brevicompta	
Indicative invasive plant species/weeds	Windmill grass (<i>Chloris truncata</i> R.Br.), Cathead (<i>Tribulus terrestris</i>), Farmers Friend (<i>Bidens pilosa</i>), Marshmallow (<i>Malva parviflora</i>). Competition from weed species is a constant threat which requires regular monitoring for not only the health of the reserve but also in reducing the spread of weeds onto neighbouring farms and wider afield.	



Indicative fauna of the locality	Kangaroo, wallaby, wombat, native reptiles, avifauna
Critical habitat/Threatened Species/Threat or Recovery Abatement Plan which apply	No listed critical habitat on this Reserve. No listed threatened species, endangered species or threat recovery or abatement plans directly apply to the site. Despite this, Council has cross-referenced the Plant Community Types (PCTs) listed by the BioNet database as occurring on the site with the potential to host threatened/endangered species. Action Plan below outlines conservation measures from this knowledge.
Current leases/licences and types of leases/licences permitted	This reserve is not currently leased. This Plan of Management expressly permits leasing and licensing of this reserve in accordance with the LG Regulations and in accordance with the reserve purpose (public recreation).
Prioritised specific management actions for the site	See table below which links to LG Act objectives.

Note: Indicative plant species to be used for new plantings in line with NSW GeoSEED database.

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Reserve Name & Number	Reserve Purpose	Categorisation
Reserve 86815: Yantabulla Recreation Reserve A: Lots 9-10 Section 4 DP 759132	Public Recreation	Park
		
Commentary	This reserve in Yantabulla contains a tennis clubhouse and smaller amenities buildings.	
Size	4055m ²	
Reserve Purpose	Public Recreation	
Current applicable plans	None applicable	
Current & permissible leases/licences	None at present	
Threatened Species/Aboriginal/European Heritage	No significant Plant Community Types on site to indicate habitat of threatened/endangered species. A check of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any items of significance on this allotment.	
Management for this Site	Assess buildings for asbestos and whether it should be replaced, assess buildings for structural adequacy if deemed a pressing issue. If works not deemed to be urgent at this point in time, buildings to be "mothballed" and secured for future refurbishment.	

Appendix 2: Community and User Groups Engagement

Bourke Council used a number of methods to engage with the community and sporting groups to obtain inclusions in the Draft document as well as feedback on the Draft Plan. These methods are outlined below.

- Direct emails to sporting and user groups who use or hold a licence over all or part of a Crown reserve.
- Public consultation in accordance with the LG Act including exhibition of the plan for 28 days
- Utilisation of Council’s website and social media for feedback
- Displays in public areas of Council offices to obtain feedback on Draft Plan.



Table 3: Feedback from Targeted Consultation

Sporting/User Group	Issues raised	Inclusion in Plan or Referral/Comment
Bourke Picnic Race Club	<p>Future ideas/intentions:</p> <ul style="list-style-type: none"> • New bar and covered spectator area including new purpose-built food stalls. • New toilet and shower facilities for the public • Improvements to secretary’s office including: lining of the entire office, fit out of office area and new and improved security cage for treasurer, fit out of small kitchen and bench space, additional change room for both female and male jockeys, installation of heating and cooling options in key rooms, increase the amount of lockable storage options, fit out of steward’s room with seating and desk space. • Re-sheeting of all existing buildings to improve appearance of the buildings, improve security and weatherproofing. • Increase in seating • New callers’ box and tower • New finishing post • Improved fencing for spectator side of race track • New stage/structure for entertainment/fashions on the field • Improved security including CCTV and lighting • Irrigation system • improved shade with plantings of trees and shrubs • Secure fence for race track perimeter 	<p>All worthy inclusions. Depending on funding, these improvements are to be prioritised with the Committee and other benefitting user groups.</p> <p>Possibly look to funding for a masterplan for the Showground/Racecourse which will cover these improvements. As many improvements are listed, these to be prioritised into action plan noting short, medium and long term.</p> <p>Masterplan can then be used for any future directions and funding applications.</p> <p>Native Title report to be completed prior to any future acts occurring on the reserve.</p>
Bourke Clay Target Club	<p>“upgrade the shooting grounds to incorporate a self-contained club room and a toilet and shower block, as there is nothing at all except a small container which holds our equipment”</p>	<p>This also to be included in masterplan for the Showground, noting sight lines for race meets and consultation with other Showground user groups.</p>

Note: This table may be updated following formal community consultation.

Appendix 2: Common uses for Reserves and Process to be followed

Example 1: Your organisation intends to hold regular market days (once a month with stalls of produce/craft/clothing) at a Park listed in this Plan of Management.

1. In principle, this is a community use for community land and in principle, would be encouraged by Council. A market day is an activity under the Local Government Act and as such, may require approval under section 68 (Part D) of this Act.
2. Check the Reserve's category and reserve purpose to determine if a market is permissible/encouraged. In principle, this type of temporary community use is encouraged.
3. Council has a downloadable application form on the website which details the information required for this activity. Search 'application to conduct activity on public place Bourke', download and complete the form.
4. Council to complete a Native Title report for the proposed activity.
5. Provide necessary proof of public liability insurance with your application to Council.
6. Once approval is given, you may conduct the market days. Any changes are to be discussed with Council.

Example 2: Your sporting association wants to hold a summer sporting competition on a Crown Reserve under this Plan.

1. Firstly check the Reserve has a purpose related to sport or public recreation. If not, check with Council to ensure the reserve purpose complies with the proposed use. The Reserve Purpose is shown at the top of the reserve tables in Appendix 1.
2. Check the category of the Reserve matches with the intent for sporting fixtures. For example, if the reserve has a category of Sportsground, this is appropriate for the activity. If the category is something not aligned with sporting uses, check with Council.
3. To formalise the use of the Reserve, a temporary licence is to be issued on the Reserve for the competition. This links the proposed competition with a permissible activity on the Reserve and ties in insurances for both Council and the participants. Speak to Council about organising a licence for the activity well in advance of the competition taking place.
4. Have the main organiser sign the licence with Council as Crown Land Manager.
5. A Native Title report is to be completed by Council prior to a lease or licence being issued over the Reserve. Fees and Charges can be determined by Council at an appropriate rate to cover the event whilst encouraging participation.

BOURKE SHIRE COUNCIL DRAFT PLAN OF MANAGEMENT



2021

YANTABULLA CEMETERY



This Plan of Management was prepared by Ward Planning and Consulting in consultation with Bourke Shire Council in accordance with the requirements of the Crown Land Management Act 2016 and the Local Government Act 1993.

This document relies upon information taken at or under the particular time and/or conditions specified herein.

Any representation, statement, opinion or advice, expressed or implied in this publication is made in good faith, however, on the basis that Bourke Shire Council, its agents and employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any representation, statement, or advice referred to herein. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up to date information from www.legislation.nsw.gov.au or www.bourke.nsw.gov.au

Any finding, conclusion or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the client.

Bourke Shire Council accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any other parties.

This Plan of Management details the only Council-managed Crown Reserve in the Shire whose categorisation is Area of Cultural Significance.

Any requests for further information regarding this plan of management can be addressed to:

Manager Environmental Services
 Bourke Shire Council
 PO Box 21
 Bourke NSW 2840
 P 02 6830 8000
 E bourke@bourke.nsw.gov.au

Cover image: unmarked grave at Yantabulla Cemetery (<http://www.australian-geographic.com.au/topics/history-culture/2014/01/gallery-revelling-the-footsteps-of-herve-brunton/>)

Table of Amendments

No	Adopted by Council	Exhibition period	Adopted by Minister for Lands	Author	Review
1					
2					

Acknowledgements

Ward Planning and Consulting acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of the Ngemba (Ngiyampaa or Ngiyambaa), Barkindji, Bardaji, Murrawari and Nyimpa people as resident in various parts of the Bourke Shire and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

Ward Planning and Consulting also acknowledges the contribution of Bourke Shire Council staff in the preparation of this Plan of Management.



Rock art from Bourke region – Mulgowan 'Yapa' art site. Taken from Bourke Shire Aboriginal Heritage Study, OzArk.

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Bourke Shire Council DRAFT Plan of Management

Executive Summary

This Plan of Management for Yantabulla Cemetery has been prepared for Bourke Shire Council following the introduction of the *Crown Land Management Act 2016*.

Yantabulla Cemetery is a remote Crown Reserve located south-west of the Yantabulla locality in the Bourke Local Government Area. This reserve is one of a number of reserves now managed by Council on behalf of NSW Crown Lands. Part of the management of this reserve involves drafting a Plan of Management for its current and future use.

Of the forty-four (44) Crown reserves now managed by Council, only one has been categorised as an **Area of Cultural Significance** – being Yantabulla Cemetery, the subject of this Plan.

This plan of management identifies the reserve, explains how it is to be managed and how Council will ensure that its performance as land manager will be kept to the intended standard.

Council welcomes feedback on this Plan's content and intentions. Consultation for this and the other plan of management will be carried out in accordance with the LG Act and Regulations.

DRAFT

Bourke Shire Council DRAFT Plan of Management

1. Introduction

Plans of Management are strategic land use management tools which guide current and future uses on certain land parcels. Council is currently in the process of updating all of its Plans of Management for Community land in the Shire. Some Plans cover a number of reserves with similar characteristics and others, such as this Plan, are for individual reserves.

This Plan covers the one community land reserve categorised as an Area of Cultural Significance.

1.1 What is Community Land?

Community land is land owned and/or controlled by Council and is retained for community use. It can include parks, playing fields, playgrounds, bushland and other areas of open space accessible to the public.

Community land is a type of land classification. All community land must have a plan of management prepared. The only other land classification is *operational land*. Operational land includes privately owned land. Operational land does not need a plan of management prepared for its use or management. Operational land serves a commercial or operational function. It includes land:

- held as a temporary asset;
- held as an investment,
- which facilitates the carrying out of functions by a council, or
- which may not be open to the general public (such as a waste depot).

Development and use of this land is set out in the Local Government Act 1993 (LG Act) and Council's Planning documents.

There are five (5) categories of community land comprising:

- Park
- Sportsground
- Cultural Significance
- Natural Area (including sub-categories of Bushland, Watercourse, Foreshore, Escarpment, Wetland)
- General Community Use

Some larger and multi-use sites can contain a number of the above categories on the one reserve, depending on their size, scale and user group catchment area. This Plan however, deals with one reserve categorised as an Area of Cultural Significance. Under current guidelines and the LG Act, reserves categorised as Area of Cultural Significance are required to be drafted in their own Plan of Management.

1.2 Plans of Management for Community Land

The *Local Government Act 1993* (LG Act) requires a plan of management (PoM) to be prepared for all public land that is classified as 'community land' under that Act.

The *Crown Land Management Act 2016* (the CLM Act) authorises local councils (council managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the *Local Government Act 1993* (LG Act). A PoM is required for all council-managed Crown reserves on community land.

Plans of Management outline the use and management of community land whether the land is owned by Council or the Crown. In 2018, the Crown Land Management Act was introduced which outlines the process to be followed in the management of crown lands by councils and non-council managers for the enjoyment of all reserve user groups. It also introduces the process involved when crown reserves have been vested in Councils and expands on Native Title requirements for plans of management.

Section 36 of the LG Act outlines the requirements for a Plan of Management.

A Plan of Management must identify the following:

- a) The category of the land



Bourke Shire Council DRAFT Plan of Management

- b) The objectives and performance targets of the plan with respect to the land,
- c) The means by which the Council proposes to achieve the plan's objectives and performance targets,
- d) The manner in which the Council proposes to assess its performance with respect to the plan's objectives and performance targets.

1.2 Scope of this Plan of Management

This Plan covers one reserve which has been categorised as an Area of Cultural Significance – Yantabulla Cemetery.

This plan of management provides simple, clear directions for the Yantabulla Cemetery.

Any works at the sites identified must be in accordance with the plan of management and overall in accordance with the reserve purpose. The reserve purpose for Yantabulla Cemetery is Preservation of Graves.

1.3 Process of Preparing this POM

The following steps outline the process of preparing this POM:

1. Prepare draft POM
2. Council resolution to refer to Department of Industry (Crown Land) prior to publicly exhibiting the PoM
3. Public exhibition (*Note, the requirement for a public hearing has been removed from the initial plan for NSW Councils)
4. Refer back to Department of Industry
5. Report to Council outlining submissions & preparation of final POM
6. Adoption by Council

1.4 Council Plans and Policies relevant to Plans of Management

All Councils develop hierarchies of plans and policies which start at the visionary 'umbrella' type plans, covering the entire LGA, and drill down into more specific plans covering smaller topics and areas of land.

NSW Councils develop a Community Strategic Plan which outlines the community vision and aspirations for the future of the area across a broad range of service areas

Under the Strategic Plan, Councils then develop specific plans and policies relevant to various areas of responsibility including managing open spaces. It is under the sphere of open space management that Plans of Management are developed. This Plan will cross-reference the Community Strategic Plan and any other relevant strategic documents.

1.5 Change and Review of Plan of Management

Changes to this and other Plans of Management are to be carried out every five years, where changes are deemed necessary. The CLM Act and the LG Act include provisions for the amendment of Plans of Management as well as the required community engagement.

Bourke Shire Council DRAFT Plan of Management

2.0 The Context and the Land

2.1 Location

Yantabulla Cemetery is located approximately 130km north-west of Bourke on the Hungerford Road. The Cemetery is south-west of Yantabulla off the Willara Road.



Plate 1 : Regional Location map

Bourke Shire Council DRAFT Plan of Management

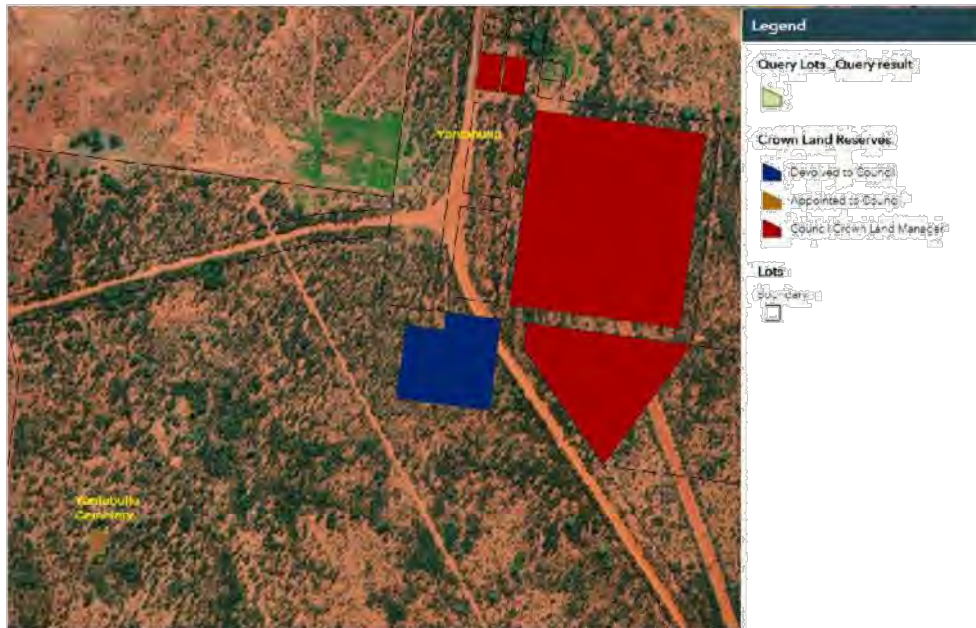
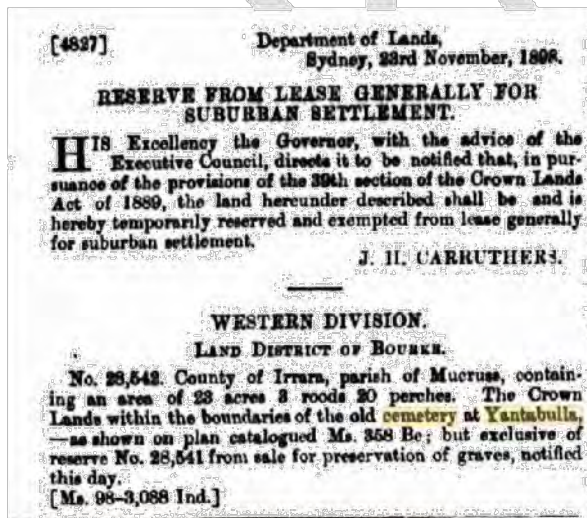


Plate 2: Yantabulla Cemetery locality map – south west of Yantabulla locality

2.2 Reserve Purpose

The original reserve purpose for the Yantabulla Cemetery is **Preservation of Graves**. This was published in the Government Gazette dated 23 November 1898. See below extract.



Source: <https://trove.nla.gov.au/newspaper/article/220971499>

Bourke Shire Council DRAFT Plan of Management

2.3 Category of Area of Cultural Significance

In accordance with section 36H of the above Act, the following core objectives apply to community land categorised as an Area of Cultural Significance:

(1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.

(2) Those conservation methods may include any or all of the following methods—

(a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,

(b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,

(c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,

(d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),

(e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.

(3) A reference in subsection (2) to land includes a reference to any buildings erected on the land.

The use and management of the reserve is therefore focused on retaining as much of the original state and significance of the reserve as possible and returning the reserve to a condition commensurate with its original condition and purpose.

2.4 Land ownership

The Yantabulla Cemetery is a reserve owned by the Crown, or NSW Government. Council's role with the Cemetery is Crown Land Manager

Bourke Shire Council DRAFT Plan of Management

3.0 The Plan of Management

3.1 Intended Use and Development of the Land

Use of the Yantabulla Cemetery will be limited to its protection and preservation of the remaining graves. Development of the site will also be restricted to its use as a passive, remote cemetery.

Further information is outlined in Table 1 – Action Plan.

3.2 Native Title Advice

The Crown Land Management Act introduced a nexus between the management of Crown Land under the Local Government Act and Native Title advice. Section 8.7 of the CLM Act outlines the following actions where Native Title advice is required:

- a) grant leases, licences, permits, forestry rights, easements or rights of way,
- b) mortgage the land or allow it to be mortgaged,
- c) impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
- d) *approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in paragraph (a), (b) or (c)*

Point (d) above captures the need for advice with the drafting of a Plan of Management.

As this Plan does not include authorisations or permits allowing the granting leases or licences, forestry rights, easements, rights of way or changes to covenants outside of what is permissible in the Act and Regulations, Native Title advice is not strictly required for this Plan of Management. If any changes are proposed to the cemetery, Native Title advice will be obtained prior to any works taking place.

In addition to the above, if a Native Title claim or Aboriginal Land Claim is successful over this reserve, this Plan will need to be updated to reflect the intentions and/or resolution of the Court regarding future use of the reserve.

3.3 Implementation and Review

This Plan of Management commences operation from the date of final adoption by Council and Crown Lands. The actions and management strategies identified in this Plan will immediately take effect and Council will be required to review these strategies in line with its annual reporting regime and as part of its community strategic plan.

This Plan is to be reviewed in accordance with the requirements of the LG Act, CLM Act and Regulations. The plan is proposed to be reviewed within 5 years and a comprehensive review after 10 years unless major unexpected changes warrant review.

3.6 Community Consultation

Open consultation with the community regarding this PoM process is integral to its success and ownership by the local community. It is also specified in the following legislation that Councils conduct community consultation through public exhibition, where required.

Section 38 of the LG Act sets out that:

- a council must give public notice of a draft POM for a period of not less than 28 days
- the public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to the council;
- the council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter that it considers appropriate or necessary to better enable the draft plan and its implications to be understood. All documents referred to in a POM should be displayed at the same time as the draft POM.



Bourke Shire Council DRAFT Plan of Management

Action Plan

In accordance with section 36(3) of the LG Act, the following table outlines the objectives, performance targets or actions to be carried out on the land and an explanation of how Council is to evaluate its performance in carrying out the intended actions in accordance with the included timelines.

Threatened Species /Critical Habitat

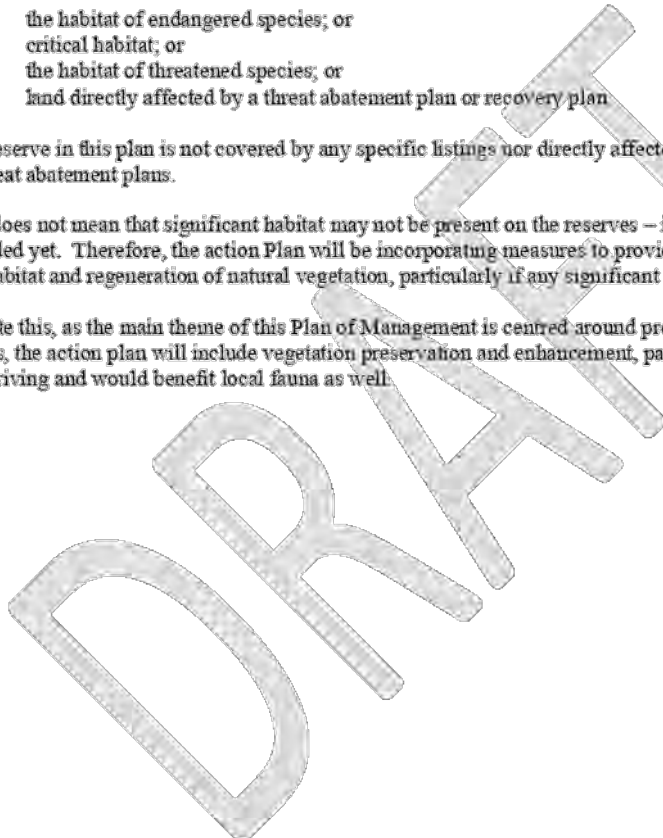
An important step in the Plan of Management process is to assess whether threatened, endangered or vulnerable species of flora and/or fauna are present on the Reserves in this Plan. Due to the changes in Threatened species legislation, checks of listings on reserves in the (now repealed) Threatened Species Conservation Act and the current Biodiversity Conservation Act were carried out to determine if any of the reserves covered in this Plan were:

- the habitat of endangered species; or
- critical habitat; or
- the habitat of threatened species; or
- land directly affected by a threat abatement plan or recovery plan


The reserve in this plan is not covered by any specific listings nor directly affected by one of the above species or threat abatement plans.

This does not mean that significant habitat may not be present on the reserves – it just may not be discovered or recorded yet. Therefore, the action Plan will be incorporating measures to provide for the protection of species and habitat and regeneration of natural vegetation, particularly if any significant species are found.

Despite this, as the main theme of this Plan of Management is centred around preservation with a focus on graves, the action plan will include vegetation preservation and enhancement, particularly where native species are thriving and would benefit local fauna as well.



Bourke Shire Council DRAFT Plan of Management

Reserve 28541: Lot 1 DP 34999	
	
Source:	
www.planningportal.nsw.gov.au	
Commentary	Remote reserve located south-west of Yantabulla locality. Condition of graves poor; some unmarked.
Reserve Purpose	Preservation of Graves
Size	1,419m ²
Vegetation Type	Sandplain Mulga tall shrubland - open shrubland of the semi-arid and arid climate zones
Topography	Relatively flat
Indicative indigenous plant species	Acacia aneura, Casuarina pauper / Senna form taxon artemisioides, Acacia ligulata, Eremophila sturtii / Aristida jerichoensis var. subspinulifera, Aristida contorta, Eragrostis eriopoda
Critical habitat/Threatened Species/Threat or Recovery Abatement Plan which apply	No critical habitat on this Reserve. No listed threatened species, endangered species or threat recovery or abatement plans directly apply to the site.
Current leases/licences and types of leases/licences permitted	This reserve is not currently leased and is not permitted to be leased in accordance with the objectives of the reserve's categorisation.
Prioritised specific management actions for the site	<p>1. Preservation of graves</p> <ul style="list-style-type: none"> (a) leave in situ; (b) remove any vegetation which may be damaging headstones/plaques; (c) Photograph and record GPS coordinates of grave sites; (d) Fence or otherwise protect the graves from stock or damage by wildlife; (e) Record names and as much information from site/newspaper extracts/gazettes; (f) Pass information above to Local History Room/Historical Society for cataloguing. <p>Note: Council to refer to the Bura Charter and National Trust Guidelines for detailed information regarding Gravesite and Cemetery Conservation.</p> <p>2. Retention of Native Vegetation</p> <ul style="list-style-type: none"> (a) Allow natural regeneration of native vegetation; (b) Permit access by Scientific and research groups for seed bank analysis and plantings; (c) Refer to species list above for natural vegetation species to be planted. <p>3. Access</p> <p>As the reserve is located wholly within the bounds of Lot 7300 DP 1177021, access to the cemetery is to be available through this lot with information readily available from Bourke Shire Council's Tourism branch. It should also be noted that the Cemetery is closed and does not accept any new burials at present.</p>



Bourke Shire Council DRAFT Plan of Management

	<p>4. Timeline Due to the remote nature of this reserve, the above works are to be completed when staff have other responsibilities in the Yantabulla locality and when budget permits, checks on the reserve are to be completed biennially or on a as needs basis.</p>
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DRAFT

13.3 SERVICE NSW FOR BUSINESS AGREEMENT

File Number: D2.1
Author: Dwayne Willoughby, Manager Environmental Services
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

The purpose of this report is to provide background information and seek support to enter into an agreement with Service NSW and to consider future business improvement initiatives.

Council currently has an agreement in place with Service NSW to promote and provide access to the public to NSW Government information and services to better assist business owners and to support the local economy.

Current Situation

Service NSW for Business provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions, and to access support.

The services provided to business owners include:

- Business Concierges offering over-the-phone, email and face-to-face support and case management.
- An online Business Profile to make it faster and easier for business owners to transact with NSW Government.
- Guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information.
- Online business information hubs including how-to guides to help business owners understand key tasks and the support available when starting and running a business in NSW

A new Partnership Agreement has been developed to provide consistency across all councils, reflect the broader focus of Service NSW for Business and provide the opportunity for Bourke Shire Council to engage with all services across Service NSW now and into the future.

The new Partnership Agreement includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage and security of personal information.

The intention of the Partnership Agreement is to build awareness of specialist advice services available, ensure Council staff can direct enquiries to these services and provide applicants with the skills to be better informed and researched prior to lodging any applications.

For Bourke Shire Council, the process is to endorse the proposed recommendations and to inform Service NSW when this endorsement has occurred.

Delivery Program

Encouragement for the sustainable economic development in the Bourke Shire. Relationships with key stakeholders to enhance economic development activities within the shire

Promotion of the Bourke Shire as a tourist destination

Policy and Procedural Implications

Nil

Other Implications

By Bourke Shire Council supporting this initiative, the local business community and potential business investors can have some confidence that Bourke Shire Council is supportive of small business and is actively trying to reduce the costs associated with small business start-up.

Conclusion

A partnership with Service NSW is important and will support the creation of new businesses within the shire.

Financial Implications

This program is at no cost to Bourke Shire Council to participate. Support material, training and advice is provided by Service NSW for Business at no cost. Implementation of the program should lead to reduced processing times and costs relating to applications to Council.

Recommendation

1. That Council delegates authority to the General Manager to enter into an agreement with Service NSW; and
2. That any necessary documents be authorised for execution under the Common Seal of Council.

14 GENERAL MANAGER**14.1 AUSTRALIA DAY**

File Number: C2.3-C2.3.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Council at its meeting in September 2021 gave consideration to the timeframes and processes regarding Councils Australia Day Awards to be presented on 26 January 2021.

Up until the 2021 Awards, consideration of the recipients for the annual Australia Day Awards had been undertaken by Councillors at a workshop held at the conclusion of the January meeting.

With Council resolving not to meet in January 2021, it was necessary to amend the timing of the closing date for nominations and determination of award recipients for Australia Day 2021.

In this regard, Council resolved as follows:

1. That the award categories as determined for 2020 be maintained.
2. That the closing date for the 2021 Australia Day Awards be the 7th December 2020.
3. That Council delegate to the Acting General Manager finalisation of the determination of the Bourke Shire Australia Day Award Recipients, having regard to the voting process to be undertaken as part of a workshop of Councillors to be convened on 14th December 2020.
4. That such workshop be held with the ability for Councillors to attend either in person or via audio-visual link.

Current Situation

With the Local Government Elections now being held on 4 December 2021, and the resulting time expected to be taken for the poll to be declared, a level of uncertainty is created in respect of Councils meeting schedule in the 2022 New Year.

Given this, it is proposed that the award nomination process for the 2022 Australia Day Awards be held during October/November 2021 with a workshop of Councillors then being held after the November 2021 Council meeting to progress the matter

As per previous years, it is proposed that the categories for the Awards be as follows:-

- Bourke Citizen of the Year
- Junior Citizen of the Year
- Sportsperson of the year
- Junior Sportsperson of the year
- Village Service Award
- Emergency Services Volunteer of the year

Financial Implications

Funding is provided in Councils Operational Plan for its Australia Day Awards and activities.

Recommendation

- 1. That the award categories as previously determined be maintained as follows:**
 - Bourke Citizen of the Year;
 - Junior Citizen of the Year
 - Sportsperson of the year
 - Junior Sportsperson of the year
 - Village Service Award
 - Emergency Services Volunteer of the year
- 2. That the closing date for nominations in respect of the 2022 Australia Day Awards be Friday 12 November 2021, with nominations opening on 11 October 2021.**
- 3. That Council delegate to the General Manager finalisation of the determination of the Bourke Shire Australia Day Award Recipients, having regard to the voting process to be undertaken as part of a workshop of Councillors to be convened following the Council meeting on 22 November 2021.**
- 4. That such workshop be held with the ability for Councillors to attend either in person or via audio-visual link.**

14.2 ANIMAL SENTIENCE

File Number: A8.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Council has received correspondence from the Young Animal Justice Party Committee of NSW (YAJP) advising of their aim to prompt councils to declare animal sentience. RSPCA Australia defines animal sentience as “the capacity of an animal to experience different feelings such as suffering or pleasure.”

The YAJP advises that Blue Mountains Council has declared animal sentience for its local government area.

Current Situation

In its request the YAJP advises that they “think this (animal sentience) would help reduce suffering in our communities. They attach a short briefing information document as follows:

“Briefing Document - Council Declaration of Sentience

Sentience ~ noun

the quality of being able to experience feelings.

Why should Council pass a motion to declare non-human Animal sentience?

Non-human Animal Sentience is already explicitly legally recognised in many places, and implicitly recognised in most places.

Political jurisdictions that have already recognised non-human Animal sentience include:

Within Australia

- The Australian Capital Territory (2019)
- Victoria (2017)
- Blue Mountains Council (2020)

Relevant Mentions

- New Zealand (2015)
- The European Union (2008)

A similar declaration was proposed in New South Wales but rejected by the Government so it is important that councils take a lead on this issue.

Why should Council move forward with these recommendations?

By proceeding with the following recommendations, the Council would be making their position clear on non-human Animal sentience, further affirming the existing public and scientific sentiment on this issue at an ***institutional level***.

Through these recommendations, the council will better inform their decisions on animal related matters and formally reflect their support towards being a more animal friendly council.

What the science says

In 2012, a prominent international group of cognitive neuroscientists, neuropharmacologists, neurophysiologists, neuroanatomists and computational neuroscientists gathered at The University of Cambridge, to reassess the neurobiological substrates of conscious experience in human and non-human Animals.

They found that converging evidence indicates “*Nonhuman Animals, including all mammals and birds, and many other creatures, including octopuses*” experience consciousness.

Young AJP’s Recommendations for Council

1. That the Council recognises that non-human Animals are sentient beings, they have their own subjective experiences and feelings, including positive feelings like happiness and pleasure, as well as negative feelings like pain and suffering;
2. That the Council recognises that non-human Animals have intrinsic value and deserve to be treated with dignity and respect and that they should be afforded a quality of life that reflects their intrinsic value as sentient beings;
3. That the Council writes to the Premier, The Hon. Gladys Berejiklian MP and Minister for Agriculture, The Hon. Adam Marshall MP advocating for non-human Animal sentience recognition under NSW state law; and
4. That the Council writes to the Prime Minister, The Hon. Scott Morrison MP and Minister for Agriculture, The Hon. David Littleproud MP advocating for non-human Animal sentience recognition under Australian law.”

Financial Implications

Nil

Recommendation

That such matter be noted.

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

File Number: F1.1
 Author: Leonie Brown, Manager of Corporate Services
 Authoriser: Mark Riley, General Manager
 Attachments: Nil

Background**Bank Reconciliation for the period ending 31st August 2021**

Balances as per Bank Statement	\$2,663,414.40
Plus: Deposit not shown	\$8,385.58
Less: Unpresented Cheques	\$3,617.69
Balance as per Cash Book	\$2,668,182.29

Reconciled Ledger Accounts as at 31st August 2021

Fund or Account	Current Balance	Overdraft Statutory Limit
General	\$28,026,780.75	\$200,000.00
Water	\$2,714,530.43	
Sewer	\$2,581,326.60	
Trust	\$112,744.30	
	\$33,435,382.08	

Investments as at 31st August 2021

National Australia Bank	\$1,076,401.54	0.75%	365 Days	A1+
National Australia Bank	\$455,746.98	0.28%	180 Days	A1+
National Australia Bank	\$3,025,633.12	0.35%	365 Days	A1+
National Australia Bank	\$1,097,705.04	0.53%	330 Days	A1+
National Australia Bank	\$802,888.67	0.50%	300 Days	A1+
National Australia Bank	\$2,000,000.00	0.50%	367 Days	A1+
National Australia Bank	\$2,000,000.00	0.50%	300 Days	A1+
National Australia Bank	\$1,153,578.45	0.44%	330 Days	A1+
National Australia Bank	\$676,193.12	0.33%	330 Days	A1+
National Australia Bank	\$3,100,208.73	0.32%	240 Days	A1+
National Australia Bank	\$3,056,586.36	0.34%	305 Days	A1+
National Australia Bank	\$703,653.66	0.30%	182 Days	A1+
National Australia Bank	\$1,725,827.62	0.32%	300 Days	A1+
National Australia Bank	\$1,500,000.00	0.28%	180 Days	A1+
National Australia Bank	\$8,392,776.50	Flex		
Total Investments	\$30,767,199.79			

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

Reconciliation at 31st August 2021

Balance as per cash book	\$2,668,182.29
Investments	\$30,767,199.79
Total, equalling Reconciled Ledger	\$33,435,382.08

Statement of Bank Balances as at 31st August 2021

	Balance	Transaction	Balance
	31 st July 2021		31st August 2021
General Fund	\$26,027,969.92	\$1,998,810.83	\$28,026,780.75
Water Fund	\$3,557,857.70	-\$843,327.27	\$2,714,530.43
Sewer Fund	\$2,650,600.34	-\$69,273.74	\$2,581,326.60
Trust Fund	\$113,063.90	-\$319.60	\$112,744.30
Investments	-\$30,244,536.85	-\$522,662.94	-\$30,767,199.79
Totals	\$2,104,955.01	\$563,227.28	\$2,668,182.29

Balance of all Funds as at 31st August 2021

Balance as at 31 st July 2021	\$2,104,955.01
Add Receipts for	
(a) Rates	\$1,275,916.17
(b) Other Cash	\$4,280,905.37
Deduct payments for	
(a) Payments	\$4,470,931.27
(b) New Investment	\$522,662.99
Balance as at 31st August 2021	\$2,668,182.29

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 August 2021 be noted.

15.2 * INVESTMENT REPORT AS AT 31 AUGUST 2021**

File Number: F1.1
Author: Leonie Brown, Manager of Corporate Services
Authoriser: Mark Riley, General Manager
Attachments: Nil

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 2021/22 Budget estimated the total investment revenue as \$295,000 which represents an estimated return of .25%. This revenue was 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 August 2021 is \$30,767,199.79
Investment income earned as at 31 August 2021 is \$27,326.29.

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 August 2021

National Australia Bank	\$1,076,401.54	0.75%	365 Days	A1+
National Australia Bank	\$455,746.98	0.28%	180 Days	A1+
National Australia Bank	\$3,025,633.12	0.35%	365 Days	A1+
National Australia Bank	\$1,097,705.04	0.53%	330 Days	A1+
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National Australia Bank	\$8,392,776.50	Flex		
Total Investments	\$30,767,199.79			

Term Deposits

Discussions/Comments

The Investment portfolio increased by \$522,662.94 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

- 1. That the report regarding Council’s Investment Portfolio 31 August 2021 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted**

15.3 * 2020/2021 AUDITED FINANCIAL STATEMENTS AND AUDITORS REPORTS**

File Number: A13.2

Author: Leonie Brown, Manager of Corporate Services

Authoriser: Mark Riley, General Manager

Attachments:

1. Independent Auditor's Report  
2. Report on the Conduct of the Audit for the year ended 30 June 2021  

Introduction

In accordance with Section 419 (1) of the Local Government Act, this report is presenting Council's Audited Financial Reports and the Auditors Report to Council for the period ending 30 June 2021.

Background

The Local Government Act 1993, Section 419 (1) stipulates that Council must present its audited Financial Reports, together with the auditors reports to a meeting of Council.

Prior to the report being presented to Council, public notice in accordance with Section 418 of the Local Government Act must be undertaken. Such notice has been given by advertising in the Western Herald, on Facebook and on Council's website.

Current Situation

The Statements are prepared in accordance with the Office of Local Government Code of Accounting Practice and Financial Reporting Guidelines.

Assessment

a) Legal Implications Including Directives and Guidelines

Local Government Act 1993 – Sections 418/419/420.

Local Government Code of accounting Practice and Financial Reporting – Update 28 issued March 2020.

b) Financial Implications/Considerations

The Annual Financial Statements reflect the transactions previously reported to Council at the Quarterly Budget Reviews and the end of year adjustments. The Financial Statements were referred to audit by Council on 26 July 2021 Ordinary Meeting of Council.

c) Policy Provisions – Council Policy and Practice

Nil

d) Strategic Implications – Implications for Long Term Plans/Targets

Community Strategic Plan

Delivery Program and Operation Plan

Report

Council's operating result was a surplus of \$20.1 million as compared with \$11 million in the previous year. The increase is mainly due to increased revenue from capital grants and works on state roads.

Summarised outlines of the operating result and financial position are detailed below:

**Summary of Financial Reports
For the year ending 30 June 2021**

Income Statement	2021 (\$000's)	2020 (\$000's)
Total Operating Revenues	44,373	36,541
Total Operating Expenses	24,278	25,552
Net Operating Result for Year	20,095	10,989
Net Operating for year Before Grants for Capital purposes	77	(3,169)

Balance Sheet	2021	2020
Current Assets	41,619	29,007
Current Liabilities	15,679	7,917
Non-Current Assets	292,644	276,454
Non-Current Liabilities	4,271	3,818
Net Assets/Equity	314,313	293,726

Other Financial Information

Note G5-1 of the Financial Statements provide performance measurement indicators and these are summarised below:

Indicator	2021	2020
Operating Performance Ratio	4.71%	1.77%
Own Source Operating Revenue Ratio	28.95%	24.94%
Unrestricted Current Ratio	4.74:1	5.10:1
Debt Service Cover Ratio	6.66:1	5.41:1
Rates and annual Charges , interest and Extra Charges Outstanding Percentage	16.72%	16.93%
Cash Expense Cover Ratio	17.91 months	13.19 months

Special Schedule report on Infrastructure Assets

Indicators	2021	2020
Building and Infrastructure Renewal Ratio	247.48%	166.66%
Infrastructure Backlog Ratio	1.30%	1.66%
Asset Maintenance Ratio	84.08%	96.30%
Capital Expenditure Ratio	1.00%	1.18%

Financial Position as at 30 June 2021

Operating Performance Ratio

The operating performance ratio measures how well Council contained operating expenditure within operating revenue (excluding capital grants and contributions, fair value adjustments, and reversal of revaluation decrements). The bench mark set by the Office of Local Government (OLG) is greater than zero percent.

Council's operating performance indicator is 4.77 per cent. It was 1.77 per cent in 2019/2020. The increase is due to an increase in the operating result before capital items.

Own Source Operating Revenue Ratio

The own source operating revenue ratio measures Council's fiscal flexibility and the degree to which it relies on external funding sources such as operating grants and contributions. The benchmark set by the OLG is greater than 60 per cent.

Council remains under the notional benchmark of 60% indicating its reliance on external funding sources to supplement operations.

Unrestricted Current Ratio

The unrestricted current ratio is an indicator that Council is able to pay its debts as and when they fall due. Council has increased the unrestricted current ratio this financial year. The benchmark for this ratio is a minimum of 1.5:1.

Council is well positioned to meet current liabilities. Council is required to hold a range of cash reserves for future needs as disclosed by internal reserves note C1-3.

Debt Service Cover Ratio

This is a ratio that measures the availability of operating cash to service debt including interest, principal and lease payments. The benchmark for this ratio is a minimum of 2:1.

Council is well above the benchmark and indicates capacity for Council to fund future capital programs through borrowings

Rates and Annual Charges Outstanding Ratio

The rates and charges outstanding ratio assesses the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of debt recovery efforts. The benchmark set by the OLG is below 10 percent for rural Councils

The Rates and annual charges outstanding percentage has decreased slightly in 2020/2021 from 16.9% to 16.7%. Provision is made annually to account for this amount.

Building and Infrastructure Renewal

The Building and Infrastructure renewal ratio is an indicator of the proportion of depreciation which is being funded by expenditure on new assets. A ratio greater than 100% indicates that Council is spending more on asset renewal than the depreciation charge for the year.

Councils Asset Renewal was 247.48%.

Audit Opinion

1. The Council's accounting records have been kept in accordance with the requirements of the *Local Government Act 1993*, Chapter 13 part 3 Division 2; and
2. The financial statements:
 - a. have been prepared, in all material respects, in accordance with the requirements of this Division;
 - b. are consistent with the Council's accounting records;
 - c. presents fairly, in all material respects, the financial position of the Council as at 30 June 2021, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards

3. All information relevant to the conduct of the audit has been obtained
4. There are no material deficiencies in the accounting records or financial report that we have become aware of during the course of the audit.

Conclusion

The Unrestricted Current Ratio has marginally decreased over the past year. The Unrestricted Current Ratio is a financial indicator and represents Council's ability to meet its debts and obligations as they fall due.

Council continues to maintain a relatively low level of debt and is in a sound financial position as reflected in our Auditor's reports and demonstrated by the financial performance indicators.

Council will need to continue to closely monitor the budget during the current and future years to ensure that the positive result continues to ensure the ongoing consolidation of the Councils financial position.

Summary

The Financial Statements were submitted to the Office of Local Government (OLG) on 14 September 2020.

Copies of the Audited Financial Statements will be available at the meeting, and are available for viewing by the public via the Council web page www.bourke.nsw.gov.au. When the Council Office and Bourke Public Library reopen to the public copies will also be available at both places. .

Section 420 of the Local Government Act stipulates that Council must allow a period of 7 days after accepting the Financial Statements for the public to make written submissions on the audited Financial Reports and/or the Auditors Report. Any submissions are referred to Council's Auditors for further comment as required.

Recommendation

That Council adopts the 2020/2021 Audited Financial Statements and Auditors Reports as presented to Council on Monday, 27 September 2021.



INDEPENDENT AUDITOR'S REPORT
Report on the general purpose financial statements
Bourke Shire Council

To the Councillors of the Bourke Shire Council

Opinion

I have audited the accompanying financial statements of Bourke Shire Council (the Council), which comprise the Statement by Councillors and Management, the Income Statement and Statement of Comprehensive Income for the year ended 30 June 2021, the Statement of Financial Position as at 30 June 2021, the Statement of Changes in Equity and Statement of Cash Flows for the year then ended and notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion:

- the Council's accounting records have been kept in accordance with the requirements of the *Local Government Act 1993*, Chapter 13, Part 3, Division 2 (the Division)
- the financial statements:
 - have been prepared, in all material respects, in accordance with the requirements of this Division
 - are consistent with the Council's accounting records
 - present fairly, in all material respects, the financial position of the Council as at 30 June 2021, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards
- all information relevant to the conduct of the audit has been obtained
- no material deficiencies in the accounting records or financial statements have come to light during the audit.

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Council in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Other Information

The Council's annual report for the year ended 30 June 2021 includes other information in addition to the financial statements and my Independent Auditor's Report thereon. The Councillors are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprise the special purpose financial statements and Special Schedules (the Schedules).

My opinion on the financial statements does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information. However, as required by the *Local Government Act 1993*, I have separately expressed an opinion on the special purpose financial statements and Special Schedule - Permissible income for general rates.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

The Councillors' Responsibilities for the Financial Statements

The Councillors are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the *Local Government Act 1993*, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Councillors are responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: www.aasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Council carried out its activities effectively, efficiently and economically
- on the Original Budget information included in the Income Statement, Statement of Cash Flows, and Note B5-1 Material budget variations
- on the Special Schedules. A separate opinion has been provided on Special Schedule - Permissible income for general rates
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other Information which may have been hyperlinked to/from the financial statements.



Manuel Moncada
Delegate of the Auditor-General for New South Wales

14 September 2021
SYDNEY



Cr Barry Hollman
 Mayor
 Bourke Shire Council
 PO Box 21
 BOURKE NSW 2840

Contact: Manuel Moncada
 Phone no: 02 9275 7333
 Our ref: D2118836/1698

14 September 2021

Dear Mayor

**Report on the Conduct of the Audit
 for the year ended 30 June 2021
 Bourke Shire Council**

I have audited the general purpose financial statements (GPFS) of the Bourke Shire Council (the Council) for the year ended 30 June 2021 as required by section 415 of the *Local Government Act 1993* (the Act).

I expressed an unmodified opinion on the Council's GPFS.

This Report on the Conduct of the Audit (the Report) for the Council for the year ended 30 June 2021 is issued in accordance with section 417 of the Act. This Report should be read in conjunction with my audit opinion on the GPFS issued under section 417(2) of the Act.

INCOME STATEMENT

Operating result

	2021 \$m	2020 \$m	Variance %
Rates and annual charges revenue	4.2	4.1	↑ 2.4
Grants and contributions revenue	31.5	27.4	↑ 15
Operating result from continuing operations	20.1	11	↑ 82.7
Net operating result before capital grants and contributions	0.1	(3.2)	↑ 103

Level 19, Darling Park Tower 2, 201 Sussex Street, Sydney NSW 2000
 GPO Box 12, Sydney NSW 2001 | t:02 9275 7100 | mail@audit.nsw.gov.au | audit.nsw.gov.au

Council's operating result (\$20.1 million including the effect of depreciation and amortisation expense of \$7.2 million) was \$9.1 million higher than the 2019–20 result. This was mainly due to increased revenue from capital grants and works on state roads.

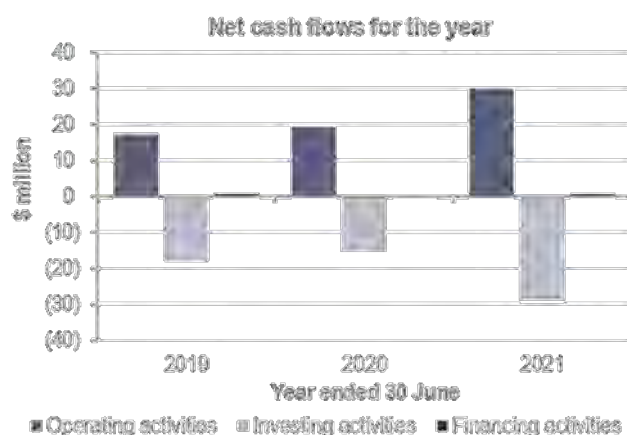
The net operating result before capital grants and contributions (\$77,000) was \$3.2 million higher than the 2019–20 result. This was primarily due to increased revenue from works on state roads noted above.

Rates and annual charges revenue (\$4.2 million) increased by \$68,000 (1.6 per cent) in 2020–2021.

Grants and contributions revenue (\$31.5 million) increased by \$4.1 million (15 per cent) in 2020–2021 due to an increase of funding for various capital projects.

STATEMENT OF CASH FLOWS

- The Statement of Cash Flows illustrates the flow of cash and cash equivalents moving in and out of Council during the year and reveals that cash increased by \$2 million to \$9.3 million at the close of the year.



FINANCIAL POSITION

Cash and investments

Cash and investments	2021	2020	Commentary
	\$m	\$m	
Total cash, cash equivalents and investments	30.2	23.0	<ul style="list-style-type: none"> External restrictions include unspent specific purpose grants and domestic waste management charges, and water and sewerage funds. Balances are internally restricted due to Council policy or decisions for forward plans including works program.
Restricted cash and investments:			
• External restrictions	15.9	6.2	
• Internal restrictions	3.9	3.9	

Debt

After repaying principal and interest of \$1.3 million and taking up an additional borrowing of \$1.7 million during the financial year, total debt as at 30 June 2021 was \$5.4 million (2020: \$4.8 million).

PERFORMANCE

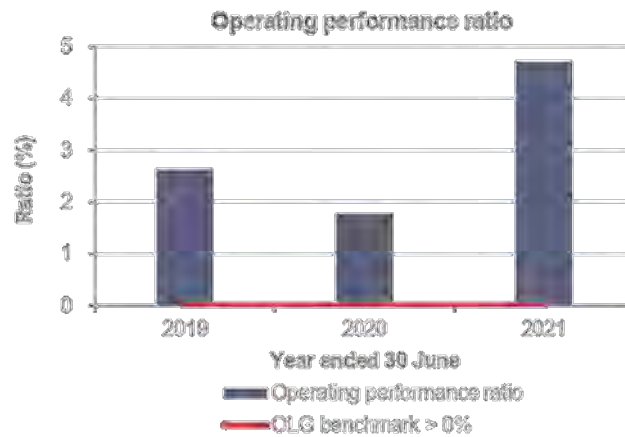
Performance measures

The following section provides an overview of the Council's performance against the performance measures and performance benchmarks set by the Office of Local Government (OLG) within the Department of Planning, Industry and Environment.

Operating performance ratio

The 'operating performance ratio' measures how well council contained operating expenditure within operating revenue (excluding capital grants and contributions, fair value adjustments, and reversal of revaluation decrements). The benchmark set by OLG is greater than zero per cent.

The Council exceeded the OLG benchmark for the current reporting period.



Own source operating revenue ratio

The 'own source operating revenue ratio' measures council's fiscal flexibility and the degree to which it relies on external funding sources such as operating grants and contributions. The benchmark set by OLG is greater than 60 per cent.

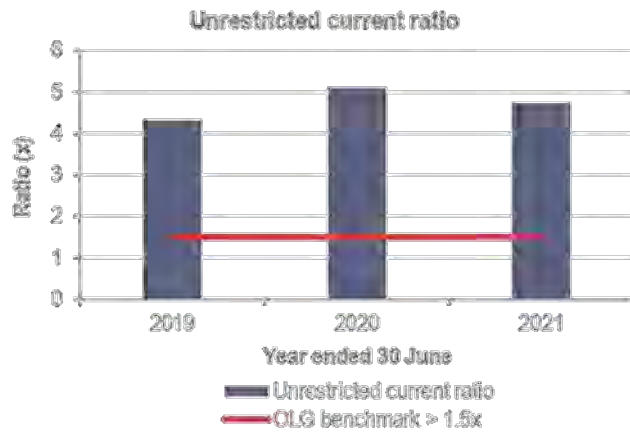
The Council did not meet the OLG benchmark for the current reporting period.



Unrestricted current ratio

The 'unrestricted current ratio' is specific to local government and represents council's ability to meet its short-term obligations as they fall due. The benchmark set by OLG is greater than 1.5 times.

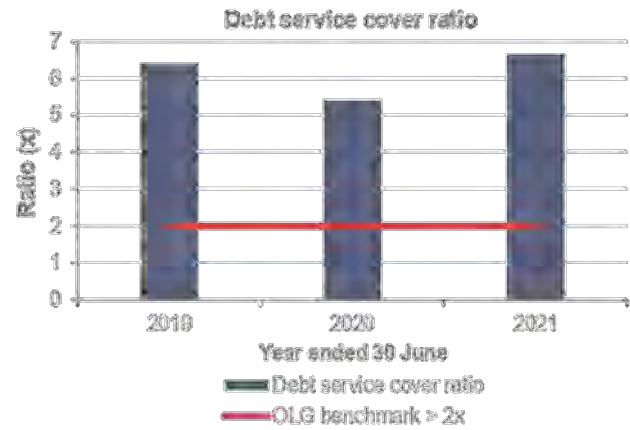
The Council exceeded the OLG benchmark for the current reporting period.



Debt service cover ratio

The 'debt service cover ratio' measures the operating cash to service debt including interest, principal and lease payments. The benchmark set by OLG is greater than two times.

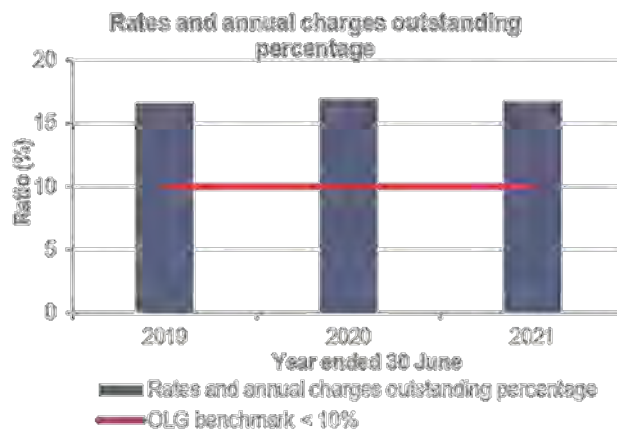
The Council exceeded the OLG benchmark for the current reporting period.



Rates and annual charges outstanding percentage

The 'rates and annual charges outstanding percentage' assesses the impact of uncollected rates and annual charges on council's liquidity and the adequacy of debt recovery efforts. The benchmark set by OLG is less than 10 per cent for regional and rural councils.

The Council did not meet the OLG benchmark for the current reporting period.



Cash expense cover ratio

This liquidity ratio indicates the number of months the council can continue paying for its immediate expenses without additional cash inflow. The benchmark set by OLG is greater than three months.

The Council exceeded the OLG benchmark for the current reporting period.



Infrastructure, property, plant and equipment renewals

- Council's asset renewal additions for the year were \$15.4 million compared to \$15.1 million for the prior year.
- Renewals consisted of infrastructure (\$14.9 million) and plant, equipment and other assets (\$0.5 million).
- The level of asset renewals during the year represented 212 percent of the total depreciation expense (\$7.2 million) for the year.

OTHER MATTERS

Legislative compliance

My audit procedures did not identify any instances of non-compliance with legislative requirements or a material deficiency in the Council's accounting records or financial statements. The Council's:

- accounting records were maintained in a manner and form to allow the GPFS to be prepared and effectively audited
- staff provided all accounting records and information relevant to the audit.

The Council's:

- accounting records were maintained in a manner and form that facilitated the preparation and the effective audit of the general purpose financial statements
- staff provided all accounting records and information relevant to the audit.



Manuel Moncada
Delegate of the Auditor-General for New South Wales

cc: Mark Riley, General Manager
Jim Betts, Secretary of the Department of Planning, Industry and Environment

15.4 * FINANCIAL ASSISTANCE GRANT**

File Number: F1.4.6

Author: Leonie Brown, Manager Corporate Services

Authoriser: Ross Earl, General Manager

Attachments: 1. Local Government Grants Commission  

Background

The Council is in receipt of correspondence from the Local Government Grants Commission providing information to councils about the way it calculates Financial Assistance Grants (FAG). This information also provides the Council's 2021-2022 estimated FAG entitlement.

Council budgeted for a payment of \$6,383,800 in the FAG component of the 2021/2022 year. The estimation provided by the Local Government Grants Commission shows a further \$515,452 may be provided to Council during this period.

Current Situation

The 2021/2022 payments are made up of the entitlement for 2021/2022 less an advanced payment made to Council in June and plus an amount for underpayment that occurred in 2020/2021.

The adjustment will result from CPI and Population adjustments.

As part of the May budget the Australian Government announced that it would bring forward the first and second quarterly payments of the 2021/2022 Local Government Financial Assistance Grants. Council received payment of \$3,224,690.

The total estimated payment of financial assistance grant to be received in 2021/2022 will be \$6,899,252. The remaining payment will be paid in four equal payments of \$893,640.50 in August, November, February and May.

Correspondence received from the Local Government Grants Commission is included as an attachment to this report.

As in previous years' these additional funds will be allocated to the asset renewal reserve. The available funds in the asset renewal reserve as at 30 June 2021 was \$846,263.38. The additional funds received this year of \$515,452 will increase the renewal reserve to \$1,361,715.38. Identified costs from the Infrastructure renewal reserve for 2021/2022 to date are \$392,000. This leaves a balance of \$969,715.38.

The availability of funds in this reserve has enabled Council to apply for grants where matching funding or a contribution to a project is required to enhance the opportunity of the success of projects

Financial Implications

The estimated additional funds from the financial assistance grant include \$410,273 for the general purpose component of the grant and \$105,179 for the local roads component of the grant bringing the total increase for 2021/2022 to \$515,452.

Recommendation

- 1. That Council notes the report detailing the Financial Assistance Grant recommended allocation for 2021/2022.**
- 2. That the additional funds received, estimated to be \$515,452, be transferred to the asset renewal reserve.**



NSW Local Government Grants Commission
 5 O’Keefe Avenue NOWRA NSW 2541
 Locked Bag 3015 NOWRA NSW 2541

OUR REFERENCE: A784605
 YOUR REFERENCE:
 CONTACT: Helen Pearce
 (02) 4428 4131
 helen.pearce@olg.nsw.gov.au

Mr Mark Riley
 General Manager
 Bourke Shire Council
 By email: mriley@bourke.nsw.gov.au
 cc: bourkeshire@bourke.nsw.gov.au

20 August 2021

Dear Mr Riley

In accordance with the NSW Local Government Grants Commission’s (Commission) policy of providing information to councils about the way the Commission calculates financial assistance grants (FAGs), please find attached a summary of Council’s 2021- 22 estimated FAGs entitlement (**Appendix A**).

The Commonwealth Treasury’s estimate of the Consumer Price Index (CPI) for 2020- 21 has been adjusted up since the 2021-22 mid-year end of financial year update. When compared to the 2020-21 final adjusted amount, the total national FAGs for 2021-22 increased by 2.2%. The 2020-21 estimated entitlement comparison to the 2019-20 final adjusted amount was 1.1%, and remains the lowest percentage increase since the paused indexation period of 2014-15 to 2016-17. Accordingly, the State’s FAGs allocation for 2021-22 is slightly higher than last year, however the ongoing economic impact of the pandemic is difficult to predict.

The national FAGs figure for 2021-22 is \$2.657 billion and is made up of \$1.840 billion for the general purpose component and \$0.817 billion for the local roads component. The national estimated entitlement for 2020-21 increased by \$38.9 million to account for final adjustments to the CPI and population shares for the year.

The national general purpose component was distributed across the states and territories on a population basis. NSW received 31.8% or \$584.8 million in the general purpose component, which represents a 1.7% increase on last year’s final figure. The local roads component is based on an historical formula. NSW’s share of the total road funding is a fixed 29% share, or \$236.9 million. The total FAGs allocation to NSW for 2021-22 is \$821.7 million.

Council’s 2021-22 FAGs estimated entitlement, compared to the 2020-21 final entitlement is as follows:

Year	General Purpose \$	Local Roads \$	Total \$	
2020-21 final	\$4,494,452	\$2,006,285	\$6,500,737	Change
2021-22 est.	\$4,748,306	\$2,047,211	\$6,795,517	4.5%

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 E olg@olg.nsw.gov.au
 W <http://www.olg.nsw.gov.au>
 (follow the “Commissions & Tribunals” links)



To assist councils with budgets and bank reconciliations, a breakdown of the 2021-22 quarterly instalments is attached (**Appendix A**). The NSW Statement of Payments is also attached (**Appendix B**).

As councils will be aware, the Commission is required to adhere to the National Principles which mandate a per capita payment based on population growth/decline. It is also the policy of the NSW Government to explore opportunities to direct grants to communities with the greatest relative need. The Commission has had regard to these policies in allocating the grants.

A key challenge for the Commission continues to be the Commonwealth's request to apply the minimum per capita grant, which has a significant impact on the ability of the Commission to redirect funding. The map contained in **Appendix D** identifies the rate of population change in NSW from 2006 to 2016. **Appendix D** also lists the revised expenditure categories, disability factors, data sources used in calculating the expenditure allowance and the relative disability allowance.

Following the impacts of the global economic downturn and the pandemic, last year the Commission faced the challenge of a substantially reduced CPI estimate. NSW received an increase of just 0.9%, or \$5.1 million, on the prior year's final general purpose component figure. This was substantially lower than the 4%, or \$21.3 million, increase NSW received in 2019-20. However, at the time, the CPI had been underestimated by the Commonwealth and the adjustment increase for the 2020-21 final CPI has been welcomed by the Commission. The increase has enabled the Commission to resume the quarantining of \$5.0 million for the application to the relative disability allowance (it had to be reduced to \$4.5 million of quarantined funds in the previous year). This ensures that additional funds are still able to be directed to those councils with a greater relative need whilst ensuring that additional uncertainty is not delivered to the sector during this difficult time with the implementation of the 0% floor to the general purpose grant. However, the CPI has not been restored to higher levels of recent years and further fluctuations cannot be ruled out.

In addition to these calculations, the Commonwealth Government decided to retain the practice of forward payments of approximately half of the financial assistance grants, based on the 2020-21 estimates for payment. The Commonwealth Government decided to make this year's early payment given the ongoing cashflow challenges faced by local government across Australia and to allow councils early access to the funds to help manage the cumulative impacts of drought, bushfires and now the COVID-19 crisis. Councils received approximately 52% of their estimated 2021-22 FAGs on 8 June 2021. The remainder of the grant entitlements will be paid in quarterly instalments in August 2021, November 2021, February 2022 and May 2022.

CONSIDERATIONS FOR 2022-23 GRANTS

Councils should be mindful that, given the current economic environment, there is a real possibility that there will be an extended period of a reduced CPI going forward. Should that occur, the Commission will likely need to restore the negative floor to ensure the integrity of the FAGs allocation system is maintained. Such a decision will result in some councils receiving less in the 2022-23 GPC than they will in 2021-22.

SPECIAL SUBMISSIONS RELATING TO 2022-23 GRANTS

Special submissions from councils for 2022-23 will be considered by the Commission. The purpose of a submission is to give councils the opportunity to present information on the financial impact of inherent expenditure disabilities beyond councils' control that are not generally recognised in the current methodology. Please refer to the expenditure functions and Council's disability factors listed in **Appendix A**. This process allows the Commission to adequately consider all legitimate factors that affect councils' capacity to deliver services.

Appendix C, titled *Guidelines for Special Submissions*, contains guidelines for preparing submissions – please read the guidelines carefully.

Submissions should be e-mailed to the Commission at olg@olg.nsw.gov.au by **15 November 2021**.

I would ask that this letter please be tabled at the next Council meeting.

If you have any questions concerning these matters, please contact me on (02) 4428 4131.

Yours sincerely



Helen Pearce
Executive Officer

15.5 * RATE WRITE-OFF - ASSESSMENT NUMBER: 00209-00000000-000**

File Number: R.2.5
Author: Meredith Thompson, Revenue Officer
Authoriser: Leonie Brown, Manager of Corporate Services
Attachments: Nil

Background

Assessment number 00209-00000000-00 is a parcel of land situated within the Bourke Township, the land was transferred to the State of New South Wales in February 2018. The home was destroyed by fire in April 2018 making the property non-rateable under Section 555 1 (a) of Local Government Act.

Current Situation

This property was correctly rated "Non-Rateable" in the 2021/22 Levy but has been charged services. As the land is vacant and owned by the Crown, service charges should not be charged and will need to be written-off.





Financial Implications

The total of charges to be written off for the 2021/22 year are \$1978.00

Recommendation

1. That Council write-off service charges for assessment number 00209-00000000-000 to the amount of \$1,978.00.
2. That Council note the property will then have the service charges removed as the land is

15.6 AGENCY INFORMATION GUIDE AND ACCESS TO INFORMATION REVIEW

File Number:	P4.1
Author:	Leonie Brown, Manager Corporate Services
Authoriser:	Mark Riley, General Manager
Attachments:	1. Access to Information Policy  
	2. Access to Information Guidelines  

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 1.2.: Amended the Organisation Structure with the removal of Manager of Tourism and Manager of Economic Affairs to Economic Development Manager
2. Clause 3.1.: Amended the date of the next election to December 2021 to reflect amendment to the Local Government Act in response to the COVID-19 pandemic

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(v3)
Date Adopted: 24/08/2020
Resolution No: 2020/283
Supersedes: 1.4.10(v2)
Proposed Review Date: 24/08/2021
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 and privacy Commission of NSW at the following link:

<https://legislation.nsw.gov.au/view/html/inforce/current/act-2009-052>

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

Title: Mr / Ms	
Surname:	
Other names:	
Postal address:	
City:	Postcode:
Day-time telephone:	Mobile:
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)

Policy No:	1.4.11(v6)
Date Adopted:	2021
Resolution No:	2021/
Supersedes:	1.4.11(v5)
Proposed Review Date:	2022
Responsible Officer:	Manager Corporate Services

Verified by General Manager.....Verified by Mayor.....

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1. Structure and Functions of Council

1.1 Introduction

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 of necessity, the decision-making functions of the governing body, 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 Workforce Management Strategy, exercise functions delegated by Council and provide advice to the Mayor and Councillors regarding Council's 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Fire Protection • Animal Control • Emergency Services • Other Public Order and Safety • Abandoned Buildings
Health	<ul style="list-style-type: none"> • Environmental and Health Services • Environmental Support Services • Land use Services • Other Health • Noxious Plants
Community Services	<ul style="list-style-type: none"> • Aged and Disabled Services • Education • Youth Services • Other Community Services

Housing and Community Amenities	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Bourke and Villages Water Supply
Sewerage Services	<ul style="list-style-type: none"> • Sewerage Services
Recreation and Culture	<ul style="list-style-type: none"> • Library Services • Community Centres • Public Halls • Sporting Grounds and Facilities • Other Cultural Services
Public Facilities	<ul style="list-style-type: none"> • Bourke Olympic Swimming Pool
Recreational Services	<ul style="list-style-type: none"> • Parks, Gardens and Reserves
Mining, Manufacturing and Construction	<ul style="list-style-type: none"> • Construction and Building • Quarries and Gravel Pits
Transportation and Communication	<ul style="list-style-type: none"> • 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 (2) 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 (4) years. The next general elections are scheduled to be held in **December** 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 (4) year term. Councillors Elected at the 2021 election will be appointed for a three (2) years and nine month 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. The exception to this is the December meeting which is determined each year to coincide with Christmas, with no meeting being held in January

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

- 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 authorised 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.

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

16 COMMUNITY ENGAGEMENT DEPARTMENT

Nil

17 TOURISM & EVENTS

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE

Nil

21 ACTIVITY REPORTS

21.1 ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS COMPLETED

File Number: E7.1
Author: Mark Gordon, Manager Roads
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

The following information outlines works completed from the 15th August 2021 to 8th September 2021 inclusive.

Road Works - Phillip Cross – Roads Supervisor	
1. NORTH SECTOR – Denis Tiffen, Team Leader	
Location	Work Carried Out
MR 405 Wanaaring Road	Bitumen construction Romani to Wangamana
RLR 24 Ellavale Road	Maintenance grading commenced
MR 68 South Louth Road	Side track Jandra Bridge completed
RLR 41 Weir Road	Bitumen construction commenced
2. SOUTH SECTOR - John Reed, Team Leader	
Location	Work Carried Out
MR 405 Wanaaring Road	Bitumen construction Romani to Wangamana commenced
SH 7 South	Shoulder widening commenced
RLR 6 Ben Lomond	Maintenance grading commenced
RLR 44 Janina Road	Maintenance grading completed
RLR 14 Avondale Road	Maintenance grading commenced
RLR 29 Emaroo Road	Maintenance grading commenced
3. TRANSPORT SECTOR - Simon Wielinga, Team Leader	
MR 405 Wanaaring Road	Bitumen construction Wangamana to Rainbar commenced
RLR 41 Weir Road	Bitumen construction commenced
MR 68 Louth Road	Side track Jandra Bridge completed
4 BITUMEN SECTOR - John Bartley, Team Leader	
Bourke Township	Patchwork undertaken
State Highways	Patchwork undertaken
MR 68 Louth Road	Slashing commenced

WORKSHOP – Colin Kiley, Team Leader, Tradesman Plant Mechanic			
Plant no	Rego	Description	Work Carried Out
			Depot Closed
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, 27th September 2021.

21.2 PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER ENGINEERING SERVICES ACTIVITY REPORT

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

Background

The following information outlines works completed for the period 15th August 2021 to 9th September 2021 inclusive.

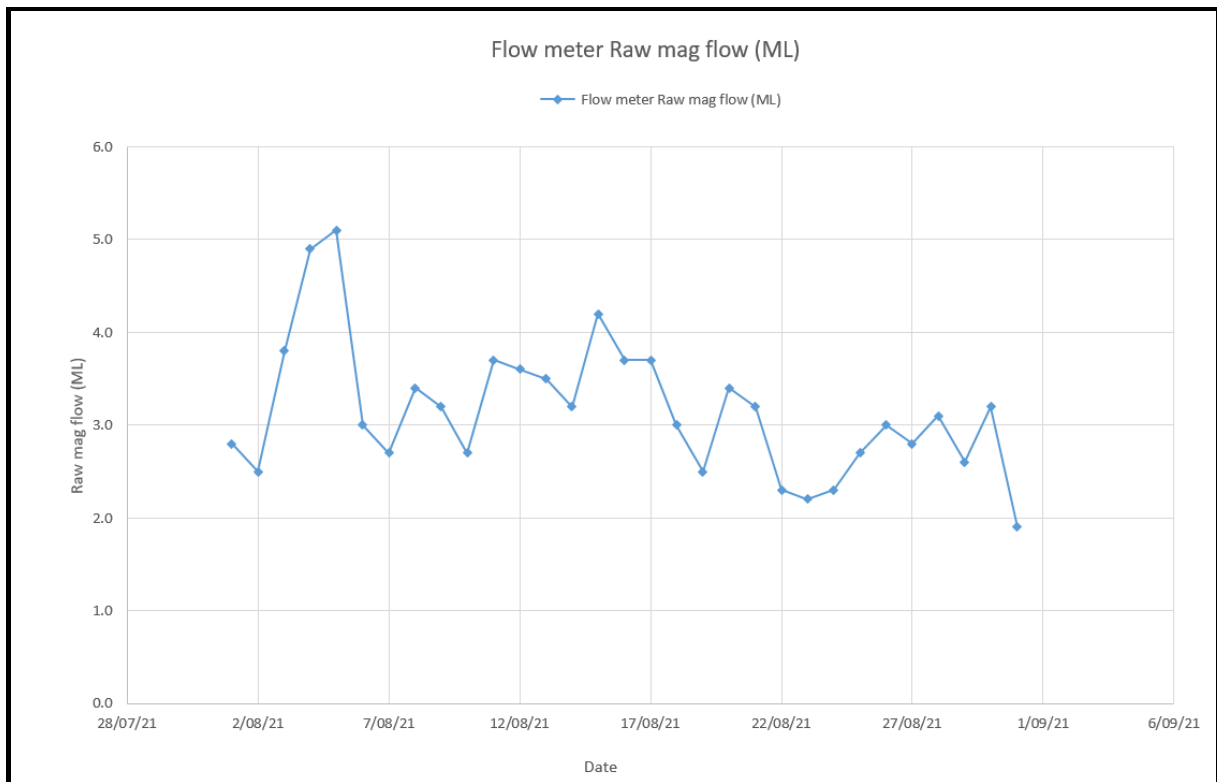
Current Situation

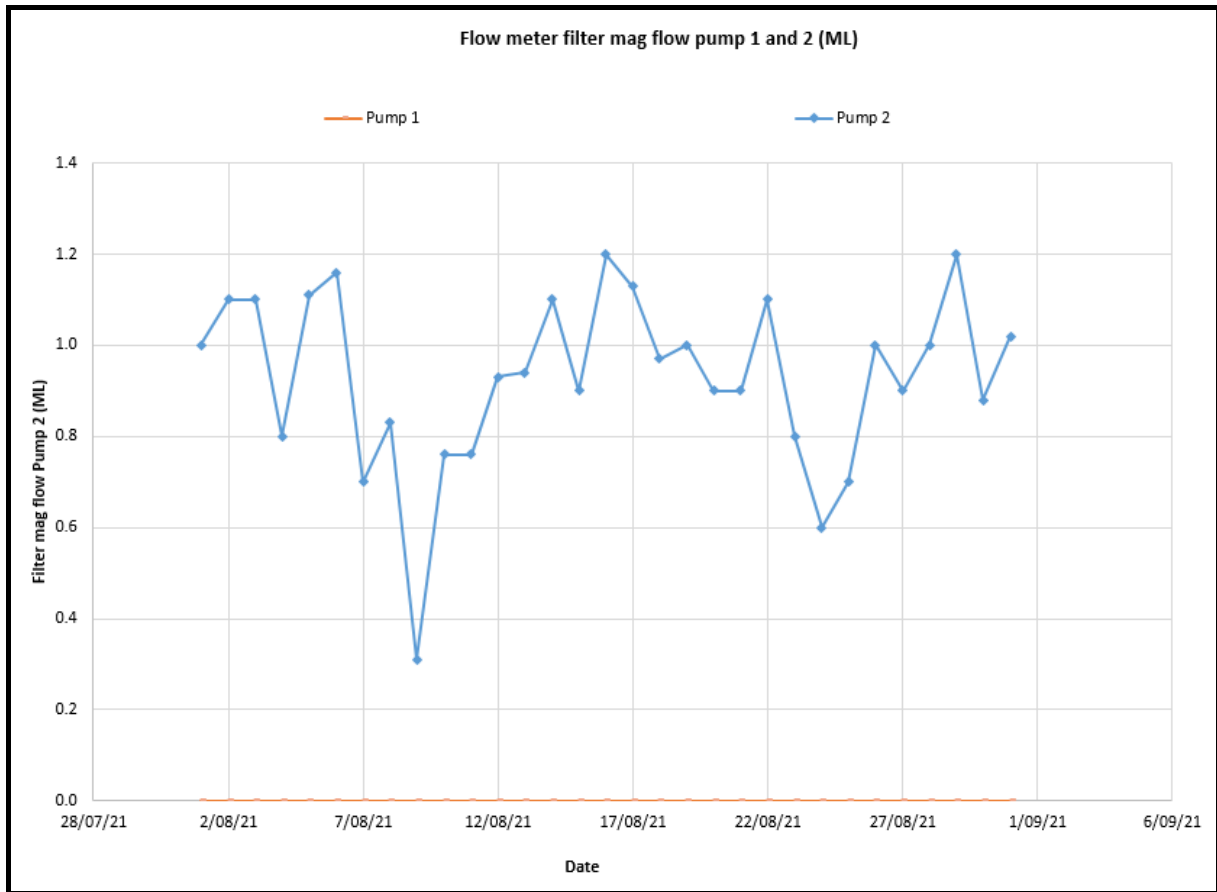
PARKS & GARDENS – Terry Rankmore, Team Leader	
Location	Work Carried Out
General	All parks & sporting grounds gardens, regular mowing & maintenance carried out. Sporting grounds facilities cleaned & maintained. Public toilets cleaned & maintained. Clean facilities. General graffiti removal carried out 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.
Council Office	General maintenance carried out.
Renshaw Complex	Grounds, facilities cleaned & maintained.
Coolican Oval	General maintenance carried out.
Davidson Oval	General maintenance carried out.
Central Park	Skate Park - regular mowing & maintenance carried out, graffiti removal.
Villages	Mow grounds, facilities cleaned & maintained.
Airport	Mowed airstrip.
Darling Park	General maintenance carried out.
Staff Training	Nil

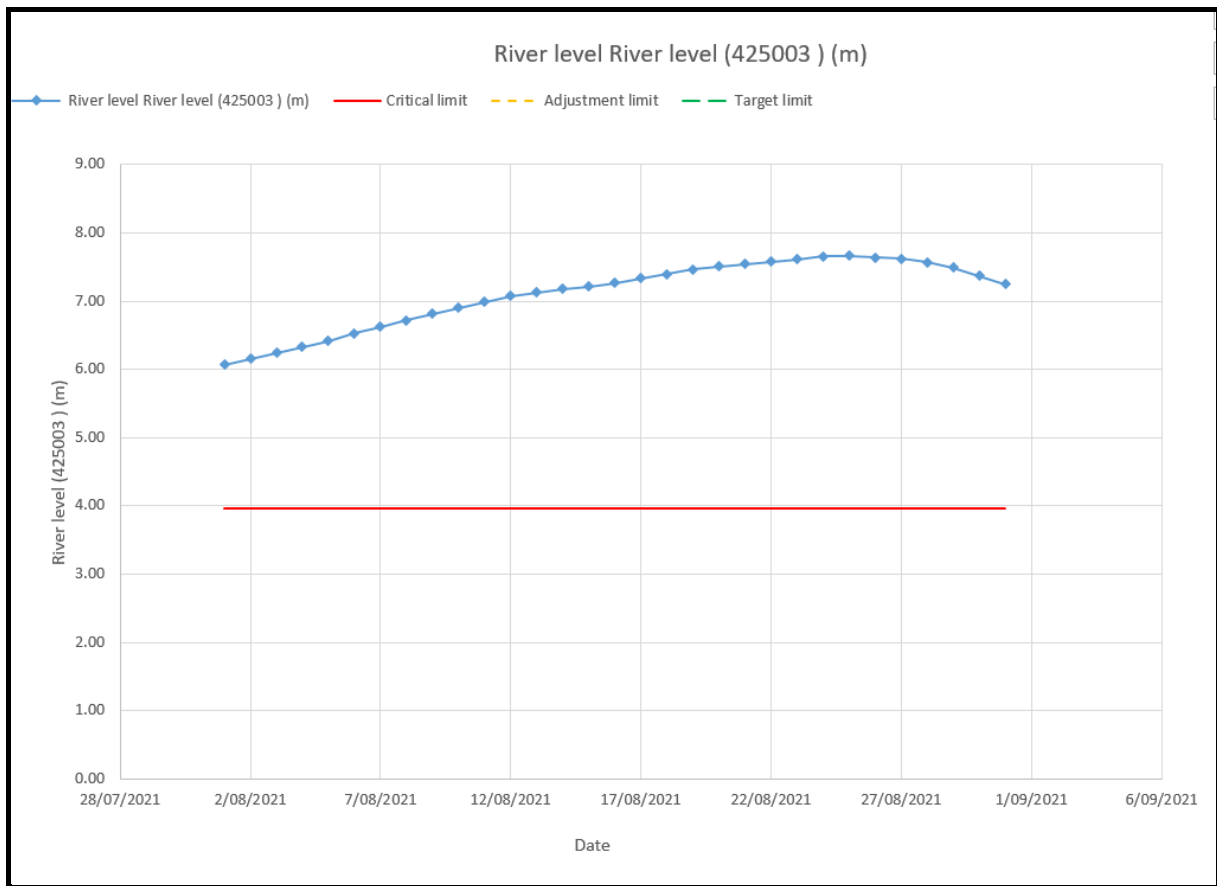
TOWN SERVICES – Troy Hayman, Team Leader	
Location	Work Carried Out
Work Requests	Actioned & ongoing
	Weekly sand footpaths
	Weekly Town mowing
	Relieving Staff in garbage truck
	Daily-Main Street Program
	Daily airport Inspections
	Monthly airport inspections Louth & Wanaaring
Cemetery	Prepared graves:- Graves- 19/08/2021
Rest Areas	Weekly rubbish removal & cleaning along road side
	Mow rest areas –23/08/2021
Staff Training	Nil
	Mulch exhibition centre
	Tables to pool
	Backhoe Pool remove concrete
	Sand pool
	Pick up trees from Renshaw
	Erect signs for Roads Department
	Start poisoning laneways
	Truck with plumbers water break
	Take chairs to old dentist building for COVID Vaccinations
	Road Closure in Tarcoon Street for COVID testing
	Set up for COVID testing at Davidson Oval
	Fill in grave
	Bins at hospital
	Bins at North Bourke Motel
	Lock gate behind Anson / Hope Street
	Crusher dust delivered to Wharf
	Sweeper working daily for 2 hours while shut down
	Sand / dust Darling Street kerb work
	Whipper snip and poison Main Street, Richard Streets footpaths
	Mow / whipper snip Airport, poison around lights
	Water trees along footpath and replace dead trees
	Fence off Digger on the Darling from fire damage
Town drainage clean gutter	

1 Water & Wastewater – Shane Hopley, Team Leader	
2 Water Supply Planned Maintenance for	
3 45 Short Street	4 Sewer Choke
5 23 Tarcoon Street	6 Sewer Choke
7 71 Hope Street	8 Sewer Choke
9 7 Culgoa Street	10 Sewer Choke
11 106 Hope Street	12 Sewer Choke
13 135 Anson Street	14 Sewer Choke
15 3 Culgoa Street	16 Sewer Choke
17 10 Oxley Street	18 Sewer Choke
19 107 Anson Street	20 Sewer Choke
21 20 Meek Street	22 Sewer Choke
23 41 Hope Street	24 Sewer Choke
25 1 Oxley Street	26 Sewer Choke
27 11 Cullie Street	28 Sewer Choke
29 9 Deman Street	30 Sewer Choke
31 45 Darling Street	32 Sewer Choke
33 73 Anson Street	34 Sewer Choke
35 7 Yanda Street	36 Sewer Choke
37 1-3 Short Street	38 Sewer Choke
39 26 Hope Street	40 Sewer Choke
41 66 Darling Street	42 Sewer Choke
43 6 Glen Street	44 Replace hot water system
45 Rural Fire Shed	46 Replace hot water system
47 56 Short Street	48 Dug 50mm filtered water main and repaired main
49 Airport	50 Dug 50mm filtered water main and repaired main 51 Start replacing raw water main
52 North Bourke	53 Dug 50mm filtered water main and repaired main 54 Repair leaking 25mm raw water service
55 14 Oxley Street	56 Dug 150mm filtered water main and repaired main
57 35 Green Street	58 Dug 150mm filtered water main and repaired main
59 Wilson Street	60 Dug 225mm filtered water main and repaired main
61 17 Wortumertie Street	62 Dug 225mm filtered water main and repaired main
63 72 Tudor Street	64 Repair leaking 20mm filtered water service
65 28 Tudor Street	66 Repair leaking 20mm filtered water service
67 35 Mitchell Street	68 Repair leaking 50mm raw water service
69 59 Oxley Street	70 Dug 100mm raw water main and repair main
71 32 Darling Street	72 Dug 100mm raw water main and repair main
73 50 Oxley Street	74 Dug 100mm raw water main and repair main
75 Hope Street	76 Dug 100mm raw water main and repair main

77	Louth	78	Pump site electoral fault
79	Wharf	80	Pump site electoral fault
81	Rainbar Camp Site	82	Plumbing, electoral fit out
83	Ongoing	84	COVID-19 sewer samples
85		86	Monthly sewer samples
87		88	Water trees
89		90	Drainage Pool
91		92	Spray weeds
93		94	Mertin Street trip out, Start Mertin Street SPS manually over night
95		96	Relic water sample
97		98	SPS inspection and M&R
99		100	Install repeaters for water meters
101		102	Water meter reads
103		104	Paint / Flush raw water hydrant
105		106	Connect new WTP too filtered water system
107	NEW Water Treatment Plant	108	Testing public works
109	Alice Edwards Village	110	Routine maintenance & monitoring as per ACP Management Plan
111	Clara Hart Village	112	Routine maintenance & monitoring as per ACP Management Plan
113	Training	114	Nil







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 2021	134	-	43	46,142	31,255	2,013	91	4
February 2021	94	-	39	35,843	30,110	2,145	56	-
March 2021	96	-	38	42,136	29,332	2,130	58	-
April 2021	99	-	36	38,561	11,607	1,717	64	-
May 2021	102	-	38	35,621	12,676	1,808	63	-
June 2021	74	-	34	-	8,484	1,735	40	-
July 2021	75	-	33	-	9,856	1,788	42	-
August 2021	98	-	29	28	10,231	1,895	3	1

Process	Parameter	Minimum	Average	Maximum	Lower critical lim	Upper critical lim	No. of samples
Rainfall	Rainfall	-	-	-			31
River level	River level (425003)	6.07	7.11	7.66	3.9		31
Raw Water	pH	7.10	7.62	8.30			31
Raw Water	turbidity	71.00	201.03	402.00			31
Filtered water	pH	7.00	7.23	7.50	6.5	8.7	31
Clarifier	Turbidity	0.60	1.15	1.80	0.0	4.0	31
Tower	Free Cl2	1.50	2.67	3.60	0.2	5.0	31
Filtered water	Turbidity	0.10	0.17	0.31	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 School	Free chlorine	1.00	1.00	1.00	0.2	4.0	1
Bourke Primary School	pH	7.40	7.40	7.40	6.5	8.5	1
Bourke Primary School	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	1.20	1.20	1.20	0.2	4.0	1
Mitchell St	pH	8.50	8.50	8.50	6.5	8.5	1
Mitchell St	Turbidity	0.20	0.20	0.20	0.0	0.5	1
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 or >1.0 mg/L	<0.9 mg/L for > 72 hours Or >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	May 2021 TEST	Jun 2021 TEST	Jul 2021 TEST	Aug 2021 TEST	Sept 2021 TEST
Oil & Grease	<i>mg/L</i>	10	3			2	
pH		6.5-8.5	9.56			8.47	
Nitrogen (total)	<i>mg/L</i>	15	9.6			16.8	
Phosphorus (total)	<i>mg/L</i>	10	2.01			3.68	
Total suspended solids	<i>mg/L</i>	20	106			112	
Biochemical oxygen demand	<i>mg/L</i>	15	23			29	

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 August 2021 was 6.6 mm
- Hottest day for August 2021 was 31.8 degrees
- Coldest day for August 2021 was -0.1 degrees

Recommendation

That Council note the information in the Parks & Gardens, Town Services and Water and Waste Water Engineering Services Department Activity Reports as presented to Council on Monday, 27th September 2021.

21.3 ENVIRONMENTAL SERVICES DEPARTMENT ACTIVITY REPORT

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

Current Situation

Development Approvals			
Delegated Authority or Council	Consent Type & Consent No.	Subject Land	Nature of Development
Delegated	DA 2022/0001	Lot 9, Section 7 DP 758144 41 Mertin Street, Bourke	Construction of Residential Shed

Total value of Approved works for August 2021	= \$25,000
No. of Development Application Approvals for August 2021	= 1
No. of Complying Development Application Approvals for August 2021	= 0

Building Services Report	
Location	Work Carried Out
Work Requests	Actioned and ongoing
Risk Assessments	Completed with every job
Training	Nil
Contractors	Maintenance works completed as required Upgrade works completed as per Operational Plan
Buildings	Maintenance works completed as required
Airport	Maintenance works completed as required

Animal Control		
Bourke Shire Council Holding Facility	Dogs	Cats
Animals in Pound beginning of Month	0	0
Seized	5	1
Surrendered	16	0
Handed in by members of the public	0	0
Total	21	1
Euthanased	15	1
Returned to Owner	0	0
Released from Pound	0	0
Re-housed	0	0
Died in Pound	4	0
Escaped from Pound	0	0
Animals Remaining at End of Month	2	0
Total	21	1
Stock Rested in Stock Yards	277	

- 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

Financial Implications

Nil

Recommendation
That the information in the Environmental Services Activity Report as presented to Council on Monday, 27th September 2021 be received and noted.

21.4 GENERAL MANAGER'S ACTIVITY REPORT

File Number: G2.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Current Situation**26 August 2021****An Extraordinary Time**

Someone once said, "We live in an extraordinary time". I am not sure who coined the phrase and when they said it, but I suggest that at the time they had a crystal ball for August 2021 which showed the spread of the delta strain of Coronavirus in New South Wales. Since Bourke initially went onto "stay at home" orders on Wednesday 11 August 2021 and then along with all Regional NSW onto "stay at home" orders from Saturday 14 August 2021, to at this point 28 August 2021, it has been an absolute whirlwind.

With regular teleconferences each day, the emergency management machine is now up and running. In Bourke, as General Manager, I chair a daily meeting of the Local Emergency Management Committee with this meeting comprising representatives of numerous government and private organisations who provide services directly to Bourke. I also attend the Regional Emergency Management Committee, which is chaired by Assistant Police Commissioner Geoff McKechnie, based in Dubbo. Officer in Charge of Bourke Police, Detective Inspector, Jeff Little provides a daily update report on issues in Bourke and I provide input from Councils perspective, with matters pushed to a higher level, as required.

There is a phenomenal amount of work being undertaken by a myriad of organisations in Bourke at the moment as part of the response to the current public health order and positive COVID cases in Bourke. People are working extremely hard under difficult conditions to assist the community and keep them safe. Bourke is very lucky to have Acting Commander Brett Smith as the Regional Commander of the Central North Police District, based in Bourke, along with Detective Inspector Jeff Little as the Officer in Charge at Bourke Police Station. The experience, dedication and work ethic of these Gents is first class, and as a community facing a very difficult time, we should be most thankful for their leadership and the work of their officers. The Community Health Staff manning the COVID testing clinics, the vaccinators, the hospital staff, the ambulance, the organisations delivering food and so on and so on are all working so hard to assist people. I just don't get those who don't show all our fabulous workers the respect they deserve.

Vaccinations

It was good to see the National Rugby League (NRL) launch it's "Lets Tackle This Together" promotional campaign encouraging people to get vaccinated. As the NRL says, "just like in footy, this needs to be a team effort", in reference to encouraging vaccinations. In Bourke over the past fortnight there has been considerable opportunity for the community to get vaccinated. Ochre Health, the Bourke Aboriginal Corporation Health Service, Outback Division of General Practice

and then on Tuesday, Wednesday and Thursday of this week, the Western NSW Local Health District held a “pop up” clinic at the Full Gospel Church in Tarcoon Street.

Across the State, the roll out of the vaccine is finally well and truly underway. Chemists have set up clinics in their shops and undertaking inoculations for their customers. The Royal Flying Doctor is moving around the countryside doing vaccinations in remote localities, including at Louth and Wanaaring. We see the massive pop-up clinics in Sydney. Last Saturday in Dubbo, the LHD undertook a vaccination clinic in West Dubbo. By 9.00am, some 600 people had already lined up and the LHD had to say “no more” for the day. Whilst a fantastic response, in Bourke we are fortunate that we don’t have to line up for very long, if at all, and I urge residents to take advantage of the convenience of the Bourke clinics.

Food Hampers

If you’re isolating because you and/or your family household are either:

- COVID positive;
- waiting on test results and must isolate at home; or
- a close/ casual contact and must isolate at home;

And

- can’t access the supermarket because there are no family/ friends permitted to source groceries safely and provide contactless delivery;
- don’t currently have the financial means; or
- don’t have the ability to order online;

you may be able to receive an emergency support package comprising masks, sanitiser, disinfectors, a personal care package and a food package. I must say that this isn’t a free lunch scenario, the capacity for that situation simply isn’t there, nor is it reasonable. As someone said to me, this program is about “need not greed”. If you can meet the above criteria and if you really need assistance, then help will be forthcoming. Maranguka is the hub for this service in Bourke and is being supported by a core local team including: Aboriginal Affairs NSW, Outback Division of General Practice, Bourke Health Service, Council and NSW Rural Fire Service and substantially supported by the NSW Government through Resilience NSW. Please ring Maranguka on 0428 892 210 to discuss your circumstances.

Increased COVID Compliance Measures

The NSW Government has announced increased fines for COVID-19 breaches across the State.

These increased fines for Public Health Order breaches are effective from Monday 16 August and include:

- \$5,000 on the spot fine for breaching self-isolation rules
- \$5,000 on the spot fine for lying on a permit (already a criminal offence)
- \$5,000 on the spot fine for lying to a contact tracer (already a criminal offence)
- \$3,000 on the spot fine for breaching the two-person outdoor exercise/recreation rule, and
- \$3,000 on the spot fine for breaching rules around entry into regional NSW for authorised work, inspecting real estate and travelling to your second home.

The bottom line is that the Government is no longer messing around with those who don’t obey the Stay-at-Home requirements. We are all in a very big struggle. **The Government has also introduced a permit system for people wanting to enter regional NSW from Greater Sydney with this new system having commenced on Saturday, 21 August 2021.**

Wild Dog Controller Program

Landholders involved in the Professional Wild Dog Controller Program have recently achieved a major milestone with the 100th wild dog removed from the landscape.

The Program, which is coordinated by Western Local Land Services, has involved six Dog Controllers working with local landholders to control wild dogs, as well as increase landholder capacity with regards to identifying signs of wild dogs, understanding wild dog behaviours and management options.

To the end of July 2021, the Program, which was launched in February 2020, has seen 103 wild dogs controlled, as well as 48 feral pigs, eight feral cats and four foxes.

The Wild Dog Controller Program has been a great addition to the wild dog management tools available to landholders and to hear that the Program has been so well supported and successful is pleasing. Landholders from 37 properties have had a Controller on their property with further properties having registered to be involved in future. Western Local Land Services have advised that landholders who have yet to be involved in the Program, can take advantage of an initiative where they can have a Controller visit their property for a day for no charge.

Landholders wanting to be involved or find out more can contact the Program's dedicated administration officer on 0409 677 897 or PWDC@lls.nsw.gov.au, or their local biosecurity officer via 1300 795 299 or www.lls.nsw.gov.au.

Electoral Commission - Council Candidate Information

The NSW Electoral Commissioner has released comprehensive information to help candidates understand the numerous electoral requirements following the postponement of the local government elections.

The new information includes a bulletin regarding electoral funding, disclosures and compliance, and a calendar with key dates leading up to the 4 December elections.

The NSW Electoral Commission will continue to provide advice to candidates on their website at elections.nsw.gov.au

Council Meeting

Despite COVID and all that is currently going on in Bourke and elsewhere, the August meeting of Council proceeded, albeit via teleconference with Councillors being away from the Chamber. Council considered and determined tenders for six (6) items of Plant and appointed contractors to undertake the enhancement of exhibitions at the Back O' Bourke Centre.

Council also received a report, following advice from the Office of Local Government, that as a result of the postponement of Council Elections in NSW until 4 December 2021, Mayor Barry and Deputy Mayor, Lachlan Ford, retain their roles with Council until 4 December 2021 with no requirement for an election in respect of either position being required in September 2021.

Quote of the Week: "When enough of our population is vaccinated, the case numbers will be less relevant and what will be very, very relevant is how many people we're keeping out of hospital and how many people we're keeping out of intensive care and how many people we're

keeping alive.” NSW Premier Gladys Berejiklian on the need for wide spread community vaccinations.

2 September 2021

COVID

COVID keeps rolling on, not just in Bourke Shire, but across the State and the Central West, in general. Given the number of positive cases in the Bourke Shire, a virtual Emergency Operations Centre has been established and is operating to allow the various supporting agencies a clear and consistent intelligence picture to support their own planning. This Centre is headed up in Bourke by Inspector Jeff Little, Officer-In-Charge at Bourke Police. The challenges that Police, Health and basically all contributing parties face are significant. The focus ultimately is to ensure that as a community we are safe and we all get through this pandemic. You know the drill: Stay-At-Home, Get Tested, Get a Vaccination.

Food Operations

I wrote last week regarding the distribution of food hampers to those members of the community affected by positive cases of COVID in the Bourke Shire. A significant amount of assistance has been forthcoming from various organisations with Maranguka taking the lead, as the Community Hub, and being the conduit between the Agencies and the recipients. Their work is considerable and much appreciated. Maranguka is being supported by a core local team including: Aboriginal Affairs NSW, Outback Division of General Practice, Bourke Health Service, NSW Rural Fire Service, Council and substantially supported by the NSW Government through Resilience NSW.

As I mentioned last week, criteria has been developed for the distribution of Food Hampers provided by Resilience NSW. It is considered important to again relay this criteria for the potential receipt of a Resilience Food Pack:

If you're isolating because you and/or your family household are either:

- *COVID positive;*
- *waiting on test results and must isolate at home; or*
- *a close/ casual contact and must isolate at home;*

And

- *can't access the supermarket because there are no family/ friends permitted to source groceries safely and provide contactless delivery;*
- *don't currently have the financial means; or*
- *don't have the ability to order online.*

In addition to the Resilience NSW packages, the local team is co-ordinating food packages provided by Foodbank, the Cages Foundation as founded by Paul and Sandra Salteri, via the Outback Division of General Practice, fresh food from OZHarvest, Uniting Care, Catholic Care, NSW Health and NSW Aboriginal Affairs.

Up until last Saturday evening, our Rural Fire Service Volunteers had delivered 261 Resilience food hampers and 51 care packages to the community. Super. The provision of these packages is a great service to the community, however, they can't go on forever. Once a positive case has been

cleared of the virus, provision of packages will cease. If you require assistance, please ring Maranguka on 0428 892 210 to discuss your circumstances.

Councils Financial Statements

Council is required under the Local Government Act to prepare, have audited and lodge with the Office of Local Government, its Annual Financial Statements within five (5) months of the end of the financial year, i.e. by 30 November. To its significant credit, Councils Finance Team have been working very hard in past weeks to complete the Statements, such that they have now been lodged with the Audit Office for finalisation prior to lodgement with the Department. With the Office of Local Government advising Councils that it will consider requests for extensions of lodgement on a case by case basis, Bourke Shire will not need to seek any such extension. As I alluded to above, the Statements also require audit by the NSW Audit Office. Whilst the Audit Office oversees Councils audit, they engage private audit practices to undertake the audit. The Audit Team were to be on ground in Bourke on Monday 16 August 2021, however the COVID Public Health Order requirements put paid to that. For the second year in succession, the Auditors could not attend Bourke in person. Notwithstanding, the Audit has proceeded, albeit remotely. The Auditors have access to Councils finance system and can access the required documentation remotely. Whilst that all sounds easy, auditors by their nature ask a lot of questions and finance staff were kept busy researching and providing responses, as requested. The audit is near completed and I thank the Finance Team, and their Manager, Leonie Brown, for their significant work under difficult conditions having regard to the current COVID environment.

Aboriginal Health Scholarship.

The Aboriginal Environmental Health Unit of NSW Health has announced that applications for the 2022 Aboriginal Environment Health Scholarship are now open and closing on 11 October 2021. Environmental Health encompasses the health impacts of the interaction between humans and the environment. Environmental health professionals work with communities to ensure the provision of basic sanitation, waste management, sound buildings and safe food and water. Additionally they may become involved in understanding and controlling pollution in both the environment and occupational settings, the assessment and management of complex environmental and occupational risk factors and assessment of the built environment. On a wider global level, environmental health professionals may become involved in actively examining the health impact of acid rain, climate change, movement of hazardous waste, ozone depletion, overpopulation and resource depletion. Sounds interesting

This is the first time that this scholarship has been offered.

It supports Aboriginal people to complete an undergraduate degree in environmental health with the flexibility to study full-time or part-time. Successful recipients receive funding such that their subject fees are paid along with \$500 a year for student administration fees and other costs.

This is a fantastic opportunity for an Aboriginal Student, and potentially a student from Bourke, to study environmental health at University, and not be saddled with a Higher Education Loan Program (HELP) debt when finishing their studies. For further information please contact the Aboriginal Environmental Health Unit on (02) 9391 9790 or reply via email at NSWH-AEHU@health.nsw.gov.au and one of their staff will be in contact with you.

Environmental Water Plan

I received an email last week advising that the Commonwealth Environmental Water Holder had released its Environmental Water Plan for 2021-2022. The Plan is about identifying where Commonwealth water for the environment might best be delivered in the year ahead.

The Federal Government through its Commonwealth Environmental Water Office (CEWO) has produced a raft of documentation and if you have an interest in this matter, documentation can be found on their website: www.environment.gov.au Whilst the CEWO notes that water storages across the northern basin, which includes Bourke, have increased substantially during 2021, resulting in much improved water allocations, due to the severity of the record-breaking drought, recovery of river and wetland ecosystems will take time and that they are looking forward to working with their partners in the coming year to deliver water to where it's needed most.

Winter Sports

Due to COVID, many winter sports have come to an end sooner than expected with no finals or grand finals being played. Such was the case with the Darling Barwon Rugby League Competition with the Grand Final having been set down for Bourke a couple of weeks ago along with other local and regional winter sport completions. Many minor premiers have been awarded premiership status. The exception is of course the NRL and AFL competitions, which continues. The quality of these games is most high and the efforts of Administrators in keeping the games going is to be commended. Being able to watch a bit of footy has been a light relief to many people across the state during the period of Stay at Home.

Another casualty from the current COVID restrictions is the Tour de OROC cycling event that was to be having an overnight stay and fundraising event in Bourke during October 2021. Last week, organisers of the event decided to postpone the Tour until March 2022, which I must say I consider to be a wise decision given the unpredictability that NSW currently faces. The Tour raises funds for the Macquarie Homestay facility in Dubbo, and in advice just received, the Tour will now arrive in Bourke on Wednesday 23 March 2022. Macquarie homestay is an excellently facility that provides accommodation for people attending Dubbo Hospital. Many Bourke residents have utilised the important regional facility.

Quote of the Week: "Be strong now, because things will get better. It might be stormy now, but it can't rain forever." – Unknown.

9 September 2021

Diggers on the Darling.

I heard a radio show last Wednesday seeking comments from listeners as to where they were when they heard about the tragic passing of Diana, Princess of Wales, twenty-four (24) years ago on 31 August 1997. In years to come, residents of Bourke will undoubtedly ask, where were you when you heard about "Diggers on the Darling" being burnt to the ground on the 1st day of Spring in 2021?

The loss of Diggers to the Bourke community cannot be underestimated. Firstly, and most importantly, Diggers was a memorial to Bourke's war veterans. The loss of memorabilia relating to local returned veterans is most unfortunate. I was reminded this week of the episode on the ABC TV Show Landline which told the story of Bourke Shire Councillor, Victor Bartley, and his experiences as a Vietnam War Veteran. I watched the episode again over the weekend and was

saddened of vision of Victor at Diggers in front of a wall of memorabilia which unfortunately is now gone. History and visual memories.....gone.

Diggers was also obviously an entertainment and social hub for the Bourke community, an eatery and gathering point for Government and Agency officials working in Bourke, a destination for tourists, or just a place to get a cup of coffee. Digger's was known far and wide. The calls that Council received from very high levels of the NSW Government were most appreciated and reflected the importance of the facility to the community.

Diggers was also a source of employment. It is hoped that the community sees Phillip, Anne- Marie and their team back in business in Bourke, sooner rather than later. It doesn't seem that long ago that the Governor of NSW, Her Excellency, the Honourable Margaret Beazley AC QC hosting a vice regal reception in the Hall adjacent to Diggers with Sangita and her team of Rookson, Yasoda and Jay successfully catering for the evening.

The focus on Diggers for the time being is the clean-up of the site. As per normal procedures in matters such as this, Council staff have met with the owner and issued a Clean-up Notice, which is served under Section 91 of the Protection of the Environment Operations Act 1997. It is a formal regulatory process. The notice requires the owner, amongst other matters, to ultimately provide Council with a clearance certificate that demonstrates that the site is free of waste and contaminates. Council is working with the owner of the site to assist in the timely clean up.

At this point, the line from the 1970's song by Joni Mitchell, titled, "Big Yellow Taxi" seems most appropriate in respect of the loss of Diggers: "Don't it always seem to go, that you don't know what you've got 'til it's gone."

Bourke Airport

This upcoming weekend two (2) RAAF Hercules C-130J Aircraft will be utilising the Bourke Aerodrome to undertake a series of exercises involving instrument approaches with low overshoots, full stops and touch and go's. These aircraft would be one of the largest aircraft to ever operate at the Bourke Aerodrome. The C130-J can carry close to 20 tonnes of payload. It has a length of 30 metres, a wingspan of 40metres and has four (4) Rolls Royce engines which generate a total of 18,500 shaft horsepower. Interestingly the Hercules has a maximum speed 670 km/h, cruises at 644km/h and has a range of 3,300 km, about the distance from Bourke to Darwin! A large aircraft indeed.

Water Telemetry

Bourke's new water treatment plant is generally operating well. Staff and contractors have successfully moved operations from the old plant to the new plant. The new plant contains a significant amount of technology including an electronic telemetry system. Telemetry is an automated communications process that allows the measurement and collection of data. The plants telemetry software systems receive signals from multiple installations of telemetry sensors throughout the plants water treatment process. The sensors that are part of the system provides data on a variety of indicators including, as an example, water levels in the reservoir and once full, takes action to turn the treatment process off. For some reason on Tuesday evening the telemetry system malfunctioned such that the plant stopped producing water for a period of hours. A quick reboot the next morning saw the processing of water recommence however the malfunction resulted in water levels in the reservoirs fall, with this impacting on water pressures in the town on Thursday. You might have noticed your shower was a bit light on Wednesday morning.

Telemetry malfunctions are generally rare; however, they are all part of the commissioning of a sophisticated water treatment facility.

Rates

Council rates can be paid either annually, with the total amount having been due on 31 August, or by quarterly instalments with the instalment dates each year being 31 August, 30 November, 28 February and 31 May.

Given that the Council office in Mitchell St, Bourke is closed due to COVID requirements, Council will not charge interest on overdue instalments which were due on 31 August 2021 until after 14 September 2021. This will allow rate payers an extended period to pay their rates without the stress of incurring additional fees.

There are numerous payment options available in respect of paying your rates. These are via BPay; credit/debit card payments; payments through the mail by sending a cheque or providing credit card details. You can also make arrangements with Council to pay your rates and water accounts by weekly, fortnightly, monthly or quarterly instalments from your nominated bank account. For all enquiries please regarding rates you can email bourkeshire@bourke.nsw.gov.au or phone the Council office on 6830 8000.

Council Crews

With the Council office being closed, various staff have been working from home and most of our outdoor staff have been stood down as Council has taken a very cautious approach to COVID. Put simply we don't want COVID amongst our workforce. Last week we bought our Works Services Branch staff to full time work on the basis of each of the staff working in their own individual bubble. The bubble consists of themselves and they work and eat by themselves and not interact with each other or with members of the public whilst they are at work. This week we have started bringing our road construction and maintenance crews back to work on the same bubble basis. What I am really pleased about is that by next week, a large majority of the Council work force will have received their second COVID vaccination. I have received my second vaccination and I have to say that there is a level of confidence that comes with receiving that second shot.

Air Services

As a member of the Far West Joint Organisation of Councils, along with Cobar and Walgett Council, Bourke Shire continues to oversee the air services contract that see flights to each of the member Council areas. Since the flights commenced back in October 2019, just as numbers are on the increase, COVID restrictions simply decimate numbers. As I have heard from various sources, the last two (2) years would have to be the worst time to commence an air transport service. Rather than put the air services to Bourke into hibernation, the JO has negotiated a model whereby flights to Bourke are still available – if there is at least one passenger. If there are no passengers, the Bourke air services provider, Air Link, will not fly the route that day. Whilst the JO pays a fee to have the aircraft, effectively on standby, this model is preferred to closing the service down and not having the option to fly as required.

The Dragons

In one of my earlier columns this year, I think it was after the St George Dragons had struggled against the South Sydney Rabbitohs in the Charity Shield, I made comment that I feared that it was going to be a long season for the Dragons. Long has it been! The 2021 season is one best put away in the cupboard and forgotten about as the Club seemed to lurch from one crisis to another. The

season essentially culminated in the infamous BBQ get together and from there they didn't win another game. Now I read that Tariq Simms, who I thought had a good season, has apparently been advised that he can look for another club next season, despite being contracted with the Dragons until the end of the 2022 season. Rugby League as a professional sport can be ruthless. Anyway, there is always next year.

Quote: "Family is the most important thing in the world." - Diana.

16 September 2021

Economic Development Manager.

I was happy to welcome Bourke local, Mel Milgate, on her first day of work with Bourke Shire Council last Monday when she commenced in the important role of Economic Development Manager with Council.

Councils Corporate Services Manager, Leonie Brown and I met with Mel at 8am on her first day, via teleconference, and from there it was straight into a COVID Food Distribution meeting for all of us at 8.30am. In all my time in local government I have never welcomed a new employee on day 1 via teleconference. Different times! I would also normally take a new Manager around to meet staff, however that wasn't obviously possible at this stage either.

Mel certainly projects as a proud Bourke girl. She has previously held a few roles within the Bourke community over the years including, Assistant Manager of Bourke Bowling Club, Café Owner, Health Promotions Officer, Communications Officer at the Outback Division of General Practice, and before leaving for Tamworth some five (5) years ago, she tells me that one her most fulfilling roles was producing and presenting 'Outback Mornings' on 2WEB.

Mel returns to Bourke from Tamworth after enjoying a role with the NSW Aboriginal Land Council. Mel has had the opportunity to work with indigenous communities across the Northern part of the State and recently worked with North Coast Local Aboriginal Land Councils ensuring good governance practices and compliance.

Her passion for the Bourke community is one of the motivations that brought her back to town along with the opportunity to work alongside the businesses, agencies and NGO's within the Economic Development Managers role. Mel tells me that her Mum is very excited to have her home and Grace, her daughter, is looking forward to school holidays back in Bourke and training at the new Bourke Swimming Pool.

Given the current COVID situation in Bourke, Council is utilising Mel's communications background and skills to assist in messaging the community with all that is currently happening during these interesting times. As time progresses in coming weeks, she will be transitioning into her full Economic Development Managers role.

Diggers on the Darling site – the Clean-up.

EnviroScience Solutions of Dubbo have been engaged as the Occupational Hygienists to oversee the clean-up of the Diggers on the Darling site following the fire at this important Bourke business on 1 September 2021. EnviroScience Solutions is a most experienced business in matters such as the clean-up of the Diggers site. I take this opportunity to thank the owner of the site, Phillip Parnaby and his insurers, for the expediency with which they have progressed this matter.

EnviroScience Solutions have been on site since Monday this week. By tomorrow, Friday, they are required to implement mitigations measures to ensure that airborne contaminants do not leave the premises.

In addition to this EnviroScience Solutions are classifying the waste at the site and are preparing a clean-up plan that outlines how the waste at the Premises will be lawfully removed, transported and disposed of. Such plan is to include mitigation measures to minimise air pollution. As per the Statutory Clean Up Notice, as negotiated between the parties, a copy of the waste classification and clean-up plan is to be provided to Council by tomorrow evening.

From there EnviroScience Solutions will be engaging a suitably qualified contractor to implement their mitigation measures with the waste from the Premises being required to be removed and lawfully transported and disposed of by no later than 5pm on 1 October 2021.

In regard to the Bourke Waste Depot where the waste will be transported to, following confirmation from the EPA, Council has engaged an earth moving contractor to undertake the construction of the necessary waste cell which will be utilised specifically for the Diggers waste. Work on the construction of this cell is now complete in readiness for the transportation to proceed as required.

It should be noted that the Bourke Waste Depot will be closed to the public during the period when the waste is being disposed of at the facility. Further advice will be provided following receipt of the clean-up plan.

NSW Wild Dog Fence Extension Project

Back in 2018 a study that was commissioned by the Border Fence Maintenance Board and funded by Local Land Services, determined that there would be considerable benefits to be had by extending the existing wild dog fence along parts of the NSW/Queensland border and NSW/South Australian border by 420 km in the east adjacent to Mungindi and 322 km in the south to just short of the Murray River.

It is pleasing to read that much has been achieved with this \$37.5m project that is so important to the future of the Far West. Mapping of the proposed fence alignments, engagement with local landholders and stakeholders, assessments for biodiversity and Aboriginal cultural heritage, the design of the fence and the construction of a 15-kilometre priority pilot site was constructed which involved replacing the existing wild dog fence near Hungerford, are all components of the project that have been completed.

While COVID-19 and other issues are impacting on the next phase of construction commencing, the project team is working through the approvals process and is looking forward to the main phases of construction commencing. When construction of the fence does ultimately commence it will be constructed from 15/150/15 exclusion wire and be 1800 mm high with 900 mm plastic coated chain wire buried to 300 mm deep and overlapping the 15/150/15 by 300 mm. Heavy duty steel posts will be placed every five metres with a drill rod strainer post every 250 metres. Some sections of the fence will be custom designed to suit the terrain.

COVID-19 Economic Support Measures Extended.

The NSW Government has announced an additional \$3.9 billion in funding, including \$1.5 billion from the Commonwealth, as part of its COVID-19 economic support package providing ongoing assistance to businesses and individuals affected by current lockdown restrictions across the State. This additional funding will extend the successful JobSaver program and Micro-business Grant and continue rent relief incentives.

Additional relief for businesses will also be provided with further reductions in payroll tax as well as allowing eligible businesses to defer their payroll tax payments, due from July 2021 through to December 2021, until 14 January 2022 with 12-month interest-free repayment plans available. Information is available at www.nsw.gov.au

Self-Isolation Facility, Bourke

There has been plenty of talk in Bourke during the past week surrounding the mobile campervans that are now onsite at the Mitchell Caravan Park on Becker Street, Bourke. These campervans are an initiative of the Western NSW Local Health District (WNSWLHD) and known as a self-isolation facility (SIF).

The SIF will include up to 20 onsite mobile campervans with its own 24-hour security, with a site manager. The campervans are fully self-contained inclusive of air conditioning, shower, toilet, cooking and eating facilities, microwave, radio and TV. Each campervan has an awning and chairs. An area around each campervan will be identified for outdoor living and ensure separation from adjacent vans.

Linen, waste management, and post occupancy cleaning will be managed and overseen by the health service. Residents of the SIF will have access to food and other supports similar to current arrangements in place for other community members that are isolating at home.

Access to the SIF is voluntary and is specifically for people who do not have a confirmed COVID condition. The facility is designed to provide short-term assistance to assist the safety and recovery of individuals, families and the wider community. The SIF will ensure primary and social care providers and services are able to assist transition back into community.

Access to the SIF is via a health provider referral. Referrals will be reviewed daily Monday to Friday by a group including Local Health District Accommodation Lead, Aboriginal Liaison Officer, Public Health, other local partner agencies as appropriate.

At this stage the SIF is in place for 8 weeks at Bourke having commenced operations on Monday 13 September 2021. If there is a requirement, these dates may be extended. Campervans may be relocated to other small communities nearby if there is a demand and the capacity is not fully utilised in Bourke.

Quote: “Particularly sadly, none of these people were vaccinated.” The Hon Brad Hazzard, NSW Minister for Health reflecting last Saturday on the unfortunate passing of eight people from COVID-19 in the previous 24 hours.

23 September 2021**COVID Surveillance Testing**

At our meeting of the Bourke Local Emergency Management Committee, representatives from the Western NSW Local Health District (LHD) advised that the LHD was rolling out surveillance testing

for COVID-19 across the Health District, including at Bourke. NSW Health initially delivered surveillance testing as part of its response to the high number of COVID-19 cases and exposure sites in south western Sydney. Residents in south west Sydney Local Government Areas (LGA's) who worked in other LGAs in Sydney were required to be tested for COVID-19 every three days, even if they didn't not have symptoms. The normal test and isolate regime were obviously not going to work. Accordingly, with the introduction of surveillance testing, workers did not need to self-isolate until they received that all important negative result.

Up until ~~to~~ now in Bourke, if you got tested for COVID you were required to isolate until a negative result was received. With surveillance testing you do-not have to self-isolate if you: don't have any symptoms; no-one in your household has any symptoms; you have not been identified as a close contact and you have not been to any areas of concern. Testing is available at Davidson Oval, Bourke from 9am to 3pm, 7 days a week. This is an excellent opportunity to keep in front of the virus by undertaking regular testing.

I take this opportunity to thank the various front-line staff from the LHD, Rural Fire Service and ADF who day in and day out continue to provide a fantastic COVID swabbing service for Bourke Shire residents. They all undertake their roles professionally and with a smile that you can see in their eyes.

National Police Remembrance Day

The States response to COVID-19 has certainly reminded me of just how important and the fine job that members of the NSW Police Service do for all of us. I cannot imagine where NSW would be without our Police taking a leading role, along with Health, in the COVID battle. I was very lucky in my initial days as a young General Manager in Dubbo, when there was a fair amount of unrest in housing estates in the City, to be able to work closely with some very smart and proactive officers. The two (2) I spent most time with at meetings and discussions were Michael Willing and Stuart Smith. These officers have progressed through their careers such they now hold the positions of Deputy Commissioner, Regional Field Operations and Assistant Commissioner, State Crime Commander, respectively.

I learnt a lot from these Gents during a pretty tough time for Dubbo way back when and the positive learning continues for me as I, and others, work with Bourke Police as part of the Bourke Local Emergency Management Committee. This brings me to this year's National Police Remembrance Day which will be commemorated in all Australian police jurisdictions on 29 September 2021. On this day we get the opportunity to acknowledge the crucial role that police officers play in our community and to honour those police who have lost their lives in the line of duty. During this crazy time of COVID, I for one will take time to quietly reflect on the role of Police and pay my respects for fallen Police next Wednesday. I encourage others to do likewise.

Service NSW

With the Council office in Mitchell St, Bourke currently closed, this means that face-to-face interactions at the Bourke Service NSW office are also currently unavailable. This is as part of Councils response to COVID.

Importantly however, it should be noted that this closure does not stop customers from completing numerous transactions over the phone or via the internet. The following link provides assistance to residents, with information regarding transactions available online:

<https://www.service.nsw.gov.au/covid-19/changes-transactions-due-covid-19>

Whilst the Council office is closed, Council staff are available to assist with both Council related enquires or Service NSW enquiries by calling 02 68308000.

Alternatively, Service NSW customers can also ring 13 77 88 for over-the-phone transactions and advice or they can visit www.service.nsw.gov.au

Charles Street Water Reservoir

As part of its May 2021 meeting, Council resolved to accept the tender submitted by Brockman Engineering P/L in an amount of some \$2.3m to undertake the design and construction of a replacement Charles Street Water Reservoir.

Brockman Engineering, who are specialists in engineering bulk storage tanks, have offices in both Sydney and Victoria. Whilst steel for the replacement reservoir has been procured to enable the contract to proceed, following discussions with NSW Public Works Advisory (PWA), as Council's Contract Manager, and then subsequently between PWA and Brockman, the on-site construction of the reservoir has been deferred till March 2022 in a bid to avoid issues relating to COVID. Surely come March with current vaccination rates, we will be able to get on with life, without border lockdowns and the like. Council has been most diligent in respect of avoiding interactions between its staff and in avoiding bringing contractors to Bourke as part of its role in stopping COVID spread both to and in the Bourke community.

NSW Water Strategy

The NSW Government launched its NSW Water Strategy last week. This 20-year blueprint aims "to deliver resilient and sustainable water resources to communities across the state ensuring NSW is leading the charge when it comes to innovation."

The NSW Water Strategy takes a strategic and integrated approach to looking after the state's water. The strategy is the first 20-year water strategy for all of NSW which looks to improve the security, reliability, quality and resilience of the State's water resources over the long term. It sets the priorities and outlines the implementation plan to deliver on the identified outcomes.

The NSW Water Strategy sets the overarching vision for 12 regional and two metropolitan water strategies, tailored to the individual needs of each region in NSW. Together, the aim of the strategies is to improve the resilience of NSW's water services and resources.

The Strategy certainly recognises that in the future there will be more demand for water and a more variable climate with climate modelling driving water innovation and efficiency," in the development of the Strategy.

In releasing the Strategy, I note that the NSW Minister for Water, Property and Housing, the Hon Melinda Pavey has advised that in the next 12 months Government will refocus its efforts on water conservation and leakage reduction in cities, towns and regional centres and deliver a state-wide water efficiency framework. Government will also look for opportunities to invest in research and development and new technologies, including recycled water opportunities for industrial and agricultural uses and that the Government will investigate and invest in supply options including stormwater harvesting and water re-use, and developing a consistent approach to water restrictions.

To access the Strategy, go to: <https://dpi.nsw.gov.au/water/plans-and-programs/nsw-water-strategy>

Now that the Water Strategy has been released, Council very much looks forward to the completion and release of the Western Weirs Strategy.

Australian Rural Leadership Foundation

Whilst talking water, and with many of our dams now full or starting to spill, drought will unfortunately come again, hopefully though, sometime away yet. Notwithstanding, the Australian Rural Leadership Foundation currently has applications open to either be a mentee or a mentor for its upcoming Drought Resilience Leaders Mentoring Program. You are an ideal mentee if you have the desire to learn from others and get help with identifying, setting and achieving your personal and professional goals. You can be a farmer, farm employee or contractor, advising or collaborating with farmers, working in the agriculture industry, and/ or living in, or linked to a rural community such as Bourke. On the other hand, you would be an ideal mentor if you have the desire to support the development of others and help them achieve their goals by sharing your knowledge and expertise. You can apply to be a mentor if you are a farmer, involved in agriculture, supporting farming or farming businesses, and regional communities, a drought or climate specialist, a business leader, and/ or someone who is passionate about minimising the impact of drought.

In our own day to day lives, each of us are involved in mentoring in some form or another. It is a two-way street where people learn from each other as both a mentor and mentee. If you're interested go to www.rural-leaders.org.au

Quote: "He's the one who started mouthing off" – South Sydney Rabbitohs Coach, Wayne Bennett, taking aim at Penrith Panthers Coach, Ivan Cleary, after Cleary called on the NRL to come down hard on coaches deliberately trying to influence referees prior to games. You have to get up fairly early to get one over Wayne Bennett!!

Recommendation

That the information in the General Manager's Activity Report as presented to Council on Monday, 27 September 2021 be noted.

21.5 LIBRARY MANAGER'S ACTIVITY REPORT

File Number: L4.1
Author: Jodi Hatch, Library Manager
Authoriser: Melanie Milgate, Economic Development Manager
Attachments: Nil

Current Situation

The following items for the August 2020 - August 2021 period are presented for your information:

Item	August 2020	August 2021
Loans	590	354
New Members	16	20

Other statistical information:

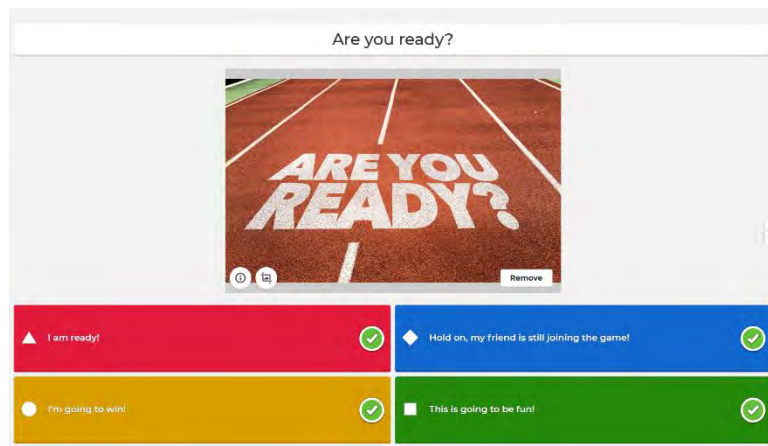
	August 2020		August 2021
Internet/Word Processing	36	Internet/Word Processing	15
Wireless Tickets	5	Wireless Tickets	1
Number of Visitors	247	Number of Visitors	262
Scans	17	Scans	14
Information Requests	69	Information Requests	26
Technical Assistance	57	Technical Assistance/Printing	31
Faxes	0	Faxes/Laminating	1

- The library has had to close due to COVID lockdown again this month, so our services have moved online. We have been busy promoting our many online services, and these have been well-utilised.
- Tax Help continued in early August, with 3 clients assisted before the library was closed.
- We have celebrated Children’s Book Week in August. Our activities have been somewhat curtailed, but competitions and activities such as online escape rooms, have been made available through our website. We have extended closing dates to allow more people to participate.



- The library is looking at new ways to hold events, and have purchased a subscription to Kahoot!, an online trivia platform. We have started holding weekly online trivia sessions for

both adults and children. To date we have held 2 adult sessions and 1 kids session. The adult sessions have been particularly popular, with around 30 people attending the first and around 40 attending the second. We will continue to hold these sessions throughout lockdown, and even after re-opening physically if there is continued demand.



Recommendation

That the information in the Library Manager’s Report as presented to Council on Monday, 27 September 2021 be noted.

21.6 TOURISM & EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.1
Author: Fran Carter, Manager Tourism & Events
Authoriser: Melanie Milgate, Economic Development Manager
Attachments: Nil

Background

The Bourke Shire Councils Tourism and Events Manger’s Activity Report provides Council with an updated status report for August, relating to its tourism teams activities through visual data including graphs and statistics to allow for the measurement of the teams progress and performance.

Current Situation

Highlights for August

Back O’ Bourke Information and Exhibition Centre

The centre was open from 1st August until Wednesday 11th August (11 trading days) when we entered lockdown.

Although the centre has been closed some of the staff are still required to operate from their home whilst lockdown continues.

While COVID travel restrictions are currently impacting on not only our shire but the state, the long term tourism trends suggest we will recover quickly once higher vaccinations rates takes effect and lockdowns are eased.

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan		448	560	325	326	302	348	386	782	1109	816
Feb		157	397	271	373	391	220	282	1043	386	630
Mar	810	570	1500	1051	1342	1612	1245	1274	1021	412	1389
April	2507	2144	3103	3146	3849	3118	3114	4024	3166	0	2387
May	2656	2891	3758	3988	4602	4073	3983	4770	3693	0	2564
June	2952	3216	4492	4275	5437	5199	4754	5634	4490	993	2366
July	4362	4643	5173	6241	6002	5941	5982	7614	6834	2570	1068
Aug	4187	4162	4410	4793	5078	4951	5051	5548	4052	1898	255
Sept	4295	5074	4275	4764	4489	4532	4246	4676	3601	3325	
Oct	2674	3067	2383	2486	2370	2475	2463	3574	2222	5246	
Nov	1012	930	789	671	610	1031	876	1014	1220	1989	
Dec	386	347	207	242	272	281	255	630	860	1194	
Total	25841	27649	31044	32253	34750	33906	32537	39454	32984	19122	11469

- Visitor numbers for August were 255 compared to 1068 July
- Email enquiries for August were down by 40% on July 2021.
- Turnover at the centre for August 2021 was down 80% on the previous month.

- Incoming calls for August were down by 60% on July 2021
- Website enquiries for August were down by 20% on July 2021.
- Exhibition Centre tickets sold in August were down 70% on July 2021
- Mt Oxley tickets sold for August were down by 80% on July 2021
- Café turnover in August was down 68% compared to July 2021
- Function Centre and Jandra had no bookings due to COVID
- General maintenance around gardens is ongoing and being conducted by the Jandra Captain.

Coach Bookings & Itineraries

- There have been no tour groups, we have had some cancellations and a few have rebooked for 2022.

Jandra Paddle Vessel

- PV Jandra tickets sold in August were down 70% compared to July.
- Coupled with a rising river (7.03m) and regional lockdown effective 7pm on the 11th August the Jandra ceased operating on the 12th August.

Crossley Engine

- Crossley ceased operating on the 12th August, consistent with regional lockdown on the 11th

Regional Promotional Committees

Kidman Way Promotional Committee Meeting -03/08/21

- Looking at a new marketing plan for 2021-2022 – various avenues to be explored.
- Upcoming tradeshow in Griffith (27-28 August 2021) and Leisurefest in Oct 2021 at Sandown.
- Rebrand of current logo is out dated.
- Suggestion to employ someone to run the social media.

Kamilaroi Highway Meeting-18/08/21

- Committee agreed that the current map in the draft brochure needs work.
- Looking for aboriginal theme throughout the guide- meanings of town names.
- Discussion around “Welcome to Country in Kamilaroi”

Darling River Run-12/08/21

- Bourke Visitor Guide – Iain briefed team and reported changes to advert.
- Darling River Run brochure, waiting on feedback from members before sending off to printers.
- Darling River Run Signage update
- Messaging regarding current lockdowns on Darling River Run website and social media channels, to include Outback Beds and National Parks messaging.

General Activities

- The Dowling Track committee has had a changeover of staff, waiting further correspondence to complete new designs for the signage along the highway.
- The Bourke Visitor Guide advertisements have now closed. We are still sourcing imagery and editorial content. The layout of the brochure is continuing, although COVID restrictions have set back the final proof.
- Visit Bourke website is still progressing with scripting new content for the website layout. Sourcing licensed images and editorial content, again COVID has effected progress.
- The new village signage for the shire has been completed and will arrive when COVID restrictions permit. Signage for the Maritime Trail has also been completed and is waiting production along with the Bourke Shire Council assets and tourism attractions in Bourke.

Recommendation

That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 27 August 2021 be noted.

22 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:

22.1 * Tender Street Sweeper**

This matter is considered to be confidential under Section 10A(2) - (d)(ii) 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 competitor of the council.