



MINUTES

Ordinary Council Meeting

27 September 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, 27 SEPTEMBER 2021 AT 9.15AM**

PRESENT: Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sarah Barton, Cr Ian Cole, Cr Sally Davis, Cr Cec Dorrington, Cr Lachlan Ford (Deputy Mayor), Cr Sam Rice, Cr Robert Stutsel, Cr John Thompson

IN ATTENDANCE: Mark Riley (General Manager), Leonie Brown (Manager of Corporate Services), Peter Brown (Manager Works), Mark Gordon (Manager Roads Services), Melanie Milgate (Economic Development Manager) Dwayne Willoughby (Manager Environmental Services).

The Mayor, General Manager 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 of the following recently deceased:

Maureen Kelly-Smith	Colin Turnbull	Ellen Walker
Patricia Heffernan	Marie Lyons	Pauline Hertslet

4 LEAVE OF ABSENCE

Nil

5 DECLARATION OF INTEREST

Nil

6 MAYORAL MINUTE**6.1 MAYORAL MINUTE - MAYORAL ACTIVITIES****File Number: M2.1**

The Council had before it the Mayoral Activity Report from 19 August 2021 to 22 September 2021.

Resolution 2021/261**Moved: Cr Barry Hollman**

That the information in the Mayoral Minute as presented to Council on Monday, 27 September 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 2021/262**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 27 September 2021 be adopted.

Carried**8 CONFIRMATION OF MINUTES****Resolution 2021/263****Moved: Cr Cec Dorrington****Seconded: Cr Sarah Barton**

That the minutes of the Ordinary Council Meeting held on 23 August 2021 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

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

File Number: B2.1,

The Council had before it a Notice of Motion from Councillor Stutsel - Establishing a Full Time Banking Service in Bourke.

Resolution 2021/264

Moved: Cr Robert Stutsel

Seconded: Cr John Thompson

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

Carried

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 2021/265

Moved: Cr Victor Bartley

Seconded: Cr Sam Rice

That the information in the Business Arising Report as presented to Council on Monday, 27 September 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 2021/266**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Calendar of Events Report as presented to Council on Monday, 27 September 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 19 August 2021 to 22 September 2021.

Resolution 2021/267**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

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

Carried**12 ENGINEERING SERVICES DEPARTMENT**

Nil

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT**13.1 *** PLAN OF DEVELOPMENT DAVISON OVAL PRECINCT****File Number: P1.5**

The Council had before it the report of the Manager Environmental Services regarding the Plan of Development Davison Oval Precinct.

Resolution 2021/268**Moved: Cr Cec Dorrington****Seconded: Cr Sally Davis**

- 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.**

Carried**13.2 CROWN LAND DRAFT PLANS OF MANAGEMENT****File Number: L1.9**

The Council had before it the report of the Manager Environmental Services regarding the Crown Land Draft Plans of Management.

Resolution 2021/269**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice****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.**

Carried

13.3 SERVICE NSW FOR BUSINESS AGREEMENT**File Number: D2.1**

The Council had before it the report of the Manager Environmental Services regarding the Service NSW for Business Agreement.

Resolution 2021/270**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

- 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.**

Carried

14 GENERAL MANAGER**14.1 AUSTRALIA DAY****File Number: C2.3-C2.3.1**

The Council had before it the report of the General Manager regarding the Australia Day.

Resolution 2021/271**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

- 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.**

Carried**14.2 ANIMAL SENTIENCE****File Number: A8.1**

The Council had before it the report of the General Manager regarding the matter of Animal Sentience.

Resolution 2021/272**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice****That such matter be noted.****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 2021/273**Moved: Cr Cec Dorrington****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 August 2021 be noted.

Carried**15.2 *** INVESTMENT REPORT AS AT 31 AUGUST 2021****File Number: F1.1**

The Council had before it the report of the Manager of Corporate Services regarding the Investment Report as at 31 August 2021.

Resolution 2021/274**Moved: Cr Ian Cole****Seconded: Cr Sally Davis**

- 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**

Carried

15.3 * 2020/2021 AUDITED FINANCIAL STATEMENTS AND AUDITORS REPORTS****File Number: A13.2**

The Council had before it the report of the Manager of Corporate Services regarding the 2020/2021 Audited Financial Statements and Auditors Reports.

The Council reports having met with Mr Manuel Moncada from the NSW Audit Office and Mr Brett Hanger from Nexia Sydney in respect to this matter

Resolution 2021/275**Moved: Cr Cec Dorrington****Seconded: Cr Ian Cole**

1. That Council adopts the 2020/2021 Audited Financial Statements and Auditors Reports as presented to Council on Monday, 27 September 2021.
2. That Councils Finance Staff led by Councils Corporate Services Manager, Ms Leonie Brown and contractor, Mr Laurie Knight, be congratulated on their most timely completion of the preparation of Councils 2020/2021 Audited Financial Statements and the resulting presentation of the accompanying Auditors Reports and the results contained therein.

Carried**15.4 *** FINANCIAL ASSISTANCE GRANT****File Number: F1.4.6**

The Council had before it the report of the Manager of Corporate Services regarding the Financial Assistance Grant.

Resolution 2021/276**Moved: Cr Sam Rice****Seconded: Cr Victor Bartley**

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.

Carried

15.5 * RATE WRITE-OFF - ASSESSMENT NUMBER: 00209-00000000-000****File Number: R.2.5**

The Council had before it the report of the Revenue Officer regarding the Rate Write-Off - Assessment Number: 00209-00000000-000.

Resolution 2021/277**Moved: Cr Cec Dorrington****Seconded: Cr John Thompson**

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 owned by the State of New South Wales and is non-ratable.

Carried**15.6 AGENCY INFORMATION GUIDE AND ACCESS TO INFORMATION REVIEW****File Number: P4.1**

The Council had before it the report of the Manager of Corporate Services regarding the Agency Information Guide and Access to Information Review.

Resolution 2021/278**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

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*

Carried**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 2021/279**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

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.

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 2021/280**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

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.

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 2021/281**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Environmental Services Activity Report as presented to Council on Monday, 27th September 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 2021/282**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the General Manager's Activity Report as presented to Council on Monday, 27 September 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 2021/283**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Library Manager's Report as presented to Council on Monday, 27 September 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 2021/284**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 27 August 2021 be noted.

Carried**22 CLOSED SESSION**

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

Resolution 2021/285**Moved: Cr Cec Dorrington****Seconded: Cr Sally Davis**

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.

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 9.50am.

22.1 * TENDER - STREET SWEEPER****Resolution 2021/286****Moved: Cr Cec Dorrington****Seconded: Cr Sarah Barton**

- 1. That Council confirms its previous decision to accept the tender submitted by Rosmech Sales and Service Pty Ltd for the supply of a Scarab Mistral with a Hino FE 1426 truck at a revised purchase price of \$362,130.00 (ex GST).**
- 2. That Council confirm its previous decision to accept the trade-in from Rosmech Sales and Service Pty Ltd for the trade of Plant No 57, being a Rosmech Mistral and Hino Truck at a revised price of \$119, 000.00 (ex GST) for a revised changeover price of \$243,130.00 (exGST).**
- 3. That the documents and considerations remain confidential to the Council.**

Carried**Resolution 2021/287****Moved: Cr Sally Davis****Seconded: Cr Cec Dorrington****That Council moves out of Closed Council into Open Council.****Carried**

Open Council resumed at 9.52am

RESOLUTION 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.

Open council resumed at 9:53am.

RESOLUTIONS FROM CLOSED SESSION OF COUNCIL

The Mayor asked the General Manager if he would read out the motions that were passed in Closed Council.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 October 2021.

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CHAIRPERSON