



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

Date: Monday, 22 November 2021
Time: 9.15am
Location: Bourke Shire Council
29 Mitchell Street Bourke NSW

BUSINESS PAPER

Ordinary Council Meeting

22 November 2021

Mark Riley
General Manager

Time	Event	Representative	Organisation
9.00am	Community Open Forum for members of the public to address Council		
10.30am	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>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.

Order Of Business

1	Opening Prayer	7
2	Acknowledgement of Country	7
3	Remembrance	7
4	Apologies	7
5	Declaration of Interest	7
6	Mayoral Minute	8
6.1	Mayoral Minute - Mayoral Activities	8
6.2	*** Delegations of Authority - General Manager	9
7	Starring of Items	14
8	Confirmation of Minutes	14
9	Notice of Motion	33
	Nil	
10	Rescission Motion	33
	Nil	
11	Business Arising	34
11.1	*** Business Arising	34
11.2	Calendar of Events.....	46
11.3	Information to Councillors	47
12	Engineering Services Department	50
	Nil	
13	Environmental Services & Development Department	51
13.1	State of the Environment Report 2016-2021.....	51
14	General Manager	57
14.1	*** Code of Meeting Practice	57
14.2	*** End of Term Report 2021	101
15	Corporate Services Department	108
15.1	*** Bank Reconciliation & Statement of Bank Balances	108
15.2	*** Investment Report as at 31 OCTOBER 2021.....	110
15.3	*** Budget Review to 30 September 2021.....	112
15.4	*** Community Consultation Meetings in Relation to the Community Strategic Plan - Timetables and Format	133
16	ECONOMIC DEVELOPMENT DEPARTMENT	135
	Nil	

17	Tourism & Events	135
	Nil	
18	Delegates and Councillors Reports	135
	Nil	
19	Policies.....	135
	Nil	
20	Précis of Correspondence	135
	Nil	
21	Activity Reports.....	136
21.1	Engineering Services Road Works & Workshop - Works Completed.....	136
21.2	Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report.....	140
21.3	Environmental Services Department - Activity Report	147
21.4	General Manager's Activity Report	149
21.5	Library Manager's Activity Report.....	158
21.6	Tourism & Events Manager's Activity Report	160
22	Closed Session.....	163

- 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 20 October 2021 to 16 November 2021 are as follows:

Date	Meeting	Location
26/10/2021	Meeting with Hon. Sam Faraway MLC and Lachlan Barnsley (Advisor) along with GM and MCS.	Council Chambers
27/10/2021	Teleconference JO Meeting FNWJO, FNWJO Housing along with GM.	Conference Room
02/11/2021	Meeting Maranguka.	Phone
04/11/2021	FNWJO Meeting Video Conference along with GM.	Conference Room
07/11/2021	Attended Function at BOBEC with the University Department of Rural Health along with MCS.	BOBEC
09/11/2021	Meeting with Chris Thomas, Darren Thomas and Team, Thomas Food International along with GM.	Abattoir site
09/11/2021	Meeting with Police Supt Danny Sullivan and Insp Trent Swinton along with GM and MCS.	Conference Room
11/11/2021	Remembrance Day Ceremony.	Cenotaph Central Park
11/11/2021	Meeting with Luke Duncan Officer-Inspector General Water Compliance along with GM and MCS.	Council Chambers
15/11/2021	FNWJO Meeting Video Conference along with GM and MCS.	Conference Room
16/11/2021	Meeting with Magistrate Nell Skinner along with MCS.	Conference Room

Recommendation

That the information in the Mayoral Minute as presented to Council on Wednesday, 22 November 2021 be noted.

6.2 * DELEGATIONS OF AUTHORITY - GENERAL MANAGER**

File Number: A3.8 - S6.30
Author: Barry Hollman, Mayor
Authoriser: Barry Hollman, Mayor
Attachments: 1. 1.5.3(v9) General Manager Delegations [↓](#) 

Background

The Local Government Act at s377 provides that:

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

- (a) the appointment of a general manager,*
- (b) the making of a rate,*
- (c) a determination under section 549 as to the levying of a rate,*
- (d) the making of a charge,*
- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
- (j) the adoption of an operational plan under section 405,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*

(t) this power of delegation,

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

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

(a) the financial assistance is part of a specified program, and

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

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

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

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

Current Situation

On appointing Mr Riley to the position of General Manager, Council provided him with delegations that allow for the conduct of Councils business as efficiently and expeditiously as possible. In this regard, Council resolved that such delegations be effective for the period 8 February 2021 to 4 February 2022, being the period of M Riley's initial 12-month appointment.

As a result of the postponement of the Council elections previously planned for 4 September 2021 till 4 December 2021, and Council's resolution to appoint Mr Riley as the Interim General Manager for a period of up to five (5) months effective 7 February 2022, with the actual term of the appointment being linked to the commencement date of the long-term General Manager to be recruited commencing February 2022, it is necessary to extend the period of his delegations accordingly.

Financial Implications

There are no significant financial implications.

Recommendation

That the Delegations of Authority as currently provided to the General Manager, Mark Riley, be further provided to him during his term as the Interim General Manager for a period of up to five (5) months effective 7 February 2022, noting that the actual term of the appointment is linked to the commencement date of the long-term General Manager to be recruited commencing February 2022.

SECTION No. 1 Service Management
PART No. 1.5 Delegation of Authority



General Manager's Delegations

Policy No: 1.5.3(v9)

Date Adopted: 24th August 2020

Minute No: 2021/

Supersedes: 1.5.3(v8) General Manager – Delegations
Adopted: 24/08/2020
Resolution No: 2020/268

Proposed Review Date: 22/11/2021

Responsible Officer: Mayor

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

1. Background.

In accordance with Section 335 of the Local Government Act, 1993, as amended, the General Manager shall have the following particular functions:-

(a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,

(b) to implement, without undue delay, lawful decisions of the council,

(c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,

(d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,

(e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,

(f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,

(g) to exercise any of the functions of the council that are delegated by the council to the general manager,

(h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,

(i) to direct and dismiss staff,

(j) to implement the council's workforce management strategy,

(k) any other functions that are conferred or imposed on the general manager by or under this or any other Act.

2. Policy.

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

Schedule 1

1. The powers, functions, duties and authorities of the Council as specified in
 - (i) the Local Government Act 1993 and Regulations, and
 - (ii) all other Acts and Regulations under which Council has powers, authorities, duties and functions

Schedule 2

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

3.Related Policies.

Please refer to the following:

- 1.5.1 (v8) Mayors Delegation
- 1.5.2(v8) Deputy Mayors Delegation

4.Review.

This Policy will be reviewed as required and in the event of legislative changes. Any amendment to the Policy must be by way of a Council Resolution.

7 STARRING OF ITEMS

8 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 25 October 2021



MINUTES

Ordinary Council Meeting

25 October 2021

Order Of Business

1	Opening Prayer	4
2	Acknowledgement of Country	4
4	Leave of Absence	5
5	Declaration of Interest	5
6	Mayoral Minute	5
	6.1 Mayoral Minute - Mayoral Activities	5
6	Starring of Items	5
7	Confirmation of Minutes	6
8	Notice of Motion	6
	1. Nil	
9	Rescission Motion	6
	2. Nil	
11	Business Arising	6
	11.1 *** Business Arising	6
	11.2 Calendar of Events.....	7
	11.3 Information to Councillors	7
12	Engineering Services Department	7
	12.1 Tree Removal, Kerb and Guttering-18 Moculta Street	7
13	Environmental Services & Development Department	8
	13.1 LEP Amendment under S3.22.....	8
14	General Manager	8
	14.1 *** Christmas - New Year Closure	8
15	Corporate Services Department	9
	15.1 *** Bank Reconciliation & Statement of Bank Balances	9
	15.2 *** Investment Report as at 30 September 2021	9
	15.3 *** Draft Community Engagement Strategy 2022	10
16	Economic Development Department	10
	16.1 *** Western Golf Challenge.....	10
17	Tourism & Events	10
	3. Nil	
18	Delegates and Councillors Reports	10
	4. Nil	
19	Policies	11
	5. Nil	

20	Précis of Correspondence	11
6.	Nil	
21	Activity Reports.....	11
21.1	Engineering Services Road Works & Workshop - Works Completed.....	11
21.2	Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report	11
21.3	Environmental Services Department - Activity Report	12
21.4	General Manager's Activity Report	12
21.5	Library Manager's Activity Report.....	12
21.6	Tourism & Events Manager's Activity Report	13
22	Closed Session.....	14
	At this juncture, the Council gave consideration to moving into Closed Session of Council.	14
22.4	*** General Manager Recruitment	
22.3	*** North Bourke Stormwater Drainage	
22.2	*** Deed of Agreement - CAPRA PTY LTD - Proposed Sale of Small Stock Abattoir – October 2021 Update	
22.1	*** Tender -Provision for Road Stabilisation	15

**MINUTES OF SHIRE OF BOURKE
ORDINARY COUNCIL MEETING
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW
ON MONDAY, 25 OCTOBER 2021 AT 9.26AM**

PRESENT: Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sarah Barton, Cr Ian Cole, Cr Cec Dorrington, 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).

Cr Ian Cole requested that attendance by him at today's Council meeting be via audio-visual link due to exceptional circumstances.

Resolution 2021/288

Moved: Cr Victor Bartley

Seconded: Cr Robert Stutsel

That Cr Ian Cole be permitted to attend the meeting via audio-visual link due to exceptional circumstances.

Carried

At this juncture, Cr Cole joined the meeting via audio-visual link, the time being 9.28am.

1 OPENING PRAYER

The Mayor opened the meeting with a prayer

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor then provided an Acknowledgement of Country

3 REMEMBRANCE

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

Maxine McCosker

Raymond Campbell

Maureen Smith

Roger Buckley

Michael Morris

At this juncture, Cr Victor Bartley left the meeting, the time being 9.31am.

4 LEAVE OF ABSENCE

Resolution 2021/289

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

That the apologies received from Councillors Davis and Ford be accepted and leave of absence granted. be accepted and leave of absence granted.

Carried

Nil

5 DECLARATION OF INTEREST

Nil received

6 MAYORAL MINUTE

6.1 MAYORAL MINUTE - MAYORAL ACTIVITIES

File Number: M2.1

The Council had before it the report of the Mayor regarding the Mayoral Minute - Mayoral Activities.

Resolution 2021/290

Moved: Cr Barry Hollman

That the information in the Mayoral Minute as presented to Council on Monday, 25 October 2021 be noted.

Carried

6 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. The following additional report was identified by Council to be starred for individual consideration.

Item No	Name of Report	Officer
13.1	Plan of Development Davidson Oval Precinct	Dwayne Willoughby
21.6	Tourism and Events Manager's Activity Report	Melanie Milgate

Resolution 2021/291

Moved: Cr Robert Stutsel

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, 25 October 2021 be adopted save and except for Item No 13.1 and 21.6 of the Agenda, with such items to be considered separately.

Carried

7 CONFIRMATION OF MINUTES

Resolution 2021/292

Moved: Cr Cec Dorrington

Seconded: Cr Sarah Barton

That the minutes of the Ordinary Council Meeting held on 27 September 2021 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

8 NOTICE OF MOTION

Nil

9 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 2021/293

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the information in the Business Arising Report as presented to Council on Monday, 25 October 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 2021/294

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

That the information in the Calendar of Events Report as presented to Council on Monday, 25 October 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.

Resolution 2021/295

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

That the contents of the Information to Councillors Report as presented to Council on Monday, 25 October 2021 be noted.

Carried

12 ENGINEERING SERVICES DEPARTMENT

12.1 TREE REMOVAL, KERB AND GUTTERING-18 MOCULTA STREET

File Number: R7.7.20

The Council had before it the report of the Manager Works regarding the Tree Removal, kerb and guttering-18 Moculta Street.

Resolution 2021/296

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

- 1. That Council note the report on the kerb and guttering request at 18 Moculta Street and undertake the proposed repair work to be completed to the driveway to the property.**
- 2. That Council accede to the request and take the necessary action to remove the Gum Tree at 18 Moculta Street Bourke, acting on the reports from the qualified arborists.**

Carried

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

13.1 LEP AMENDMENT UNDER S3.22

File Number: T5.1

The Council had before it the report of the Manager Environmental Services regarding the LEP Amendment under S3.22.

Resolution 2021/297

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

That the report in regards to LEP amendment under S3.22 be noted.

Carried

14 GENERAL MANAGER

14.1 *** CHRISTMAS - NEW YEAR CLOSURE

File Number: A3.10.1

The Council had before it the report of the General Manager regarding the Christmas - New Year Closure.

Resolution 2021/298

Moved: Cr Robert Stutsel

Seconded: Cr Sarah Barton

- 1. That Councils Shire Office and Library close at 4.30pm on Thursday, 23 December 2021 and re-open at their respective regular opening times on Tuesday, 4 January 2022.**
- 2. That Thursday, 24 December 2021 be observed as the Union Picnic Day for relevant Council staff.**
- 3. That Councils other facilities including the Memorial Swimming Pool, Waste Depot and Back O' Bourke Exhibition Centre close for Christmas Day on Saturday, 25 December 2021, and that dates and times of operation for these facilities during the remaining days of Christmas/New Year period be determined by the General Manager, having regard to demand and operational requirements.**
- 4. That it be noted that Council will maintain a skeleton crew to provide appropriate on-call staff to respond to urgent maintenance work or emergency situations during the holiday period.**
- 5. That the community be advised of Councils Christmas/New Year holiday arrangements.**

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 2021/299

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 30 September 2021 be noted.

Carried

15.2 * INVESTMENT REPORT AS AT 30 SEPTEMBER 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 September 2021.

Resolution 2021/300

Moved: Cr Cec Dorrington

Seconded: Cr Sam Rice

- 1. That the report regarding Council's Investment Portfolio 30 September 2021 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted**

Carried

15.3 * DRAFT COMMUNITY ENGAGEMENT STRATEGY 2022**

File Number: P4.4

The Council had before it the report of the Manager of Corporate Services regarding the Draft Community Engagement Strategy 2022.

Resolution 2021/301

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

- 1. That Council note the report outlining the development of the Bourke Shire Community Strategic Plan 2032.**
- 2. That Council adopt the draft Community Engagement Strategy 2022 and place the Strategy on public exhibition for a period of 28 days for community consultation.**
- 3. That should there be no comments received during the exhibition period, then the Community Engagement Strategy 2022 be adopted.**

Carried

16 ECONOMIC DEVELOPMENT DEPARTMENT

16.1 * WESTERN GOLF CHALLENGE**

File Number: D5.1, S4.1, S5.1

The Council had before it the report of the Economic Development Manager regarding the Western Golf Challenge.

Resolution 2021/302

Moved: Cr Cec Dorrington

Seconded: Cr Sam Rice

That Council accede to the request from Gary Begg – Regional Manager Golf NSW requesting financial support in the amount of \$2,000 to assist with the grant application for the proposed Western Golf Challenge 2022.

Carried

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 2021/303

Moved: Cr Robert Stutsel

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 25th October 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 2021/304

Moved: Cr Robert Stutsel

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, 25th October 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 2021/305

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

That the information in the Environmental Services Activity Report as presented to Council on Monday, 25th October 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 2021/306

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

That the information in the General Manager's Activity Report as presented to Council on Monday, 25 October 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 2021/307

Moved: Cr Robert Stutsel

Seconded: Cr Sam Rice

That the information in the Library Manager's Report as presented to Council on Monday, 25 October 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 2021/308

Moved: Cr Robert Stutsel

Seconded: Cr Sarah Barton

That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 25 October 2021 be noted.

Carried

22 CLOSED SESSION

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

Resolution 2021/309

Moved: Cr Sarah Barton

Seconded: Cr Robert Stutsel

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 -Provision for Road Stabilisation**

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.

22.2 * Deed of Agreement - CAPRA PTY LTD - Proposed Sale of Small Stock Abattoir – October 2021 Update**

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

22.3 * North Bourke Stormwater Drainage**

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

22.4 * 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 9.48am

At this juncture, Cr Victor Bartley returned to the meeting, the time being 10.16am

22.1 * TENDER -PROVISION FOR ROAD STABILISATION**

File Number: T3.3

The Council had before it the report of the Manager Roads regarding the Tender – Provision for Road Stabilisation.

Resolution 2021/310

Moved: Cr Cec Dorrington

Seconded: Cr Sarah Barton

That Council resolves to adopt the recommendation from the Regional Procurement 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 January 2022 to 31 December 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 31 December 2024.**
- 3. That the information and considerations remain confidential to the Council.**

Carried

22.2 * DEED OF AGREEMENT - CAPRA PTY LTD - PROPOSED SALE OF SMALL STOCK ABATTOIR – OCTOBER 2021 UPDATE**

File Number A1.1-D2.7-D2.17

The Council had before it the report of the General Manager regarding the Deed of Agreement – CAPRA PTY LTD – Proposed Sale of Small Stock Abattoir – October 2021 Update.

Resolution 2021/311

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

- 1. That the report of the General Manager regarding the “Deed of Agreement – CAPRA Pty Ltd – October 2021 Update” be noted.**
- 2. That the General Manager, in consultation with the Mayor, be authorised, as appropriate, to take the necessary action to finalise the funding agreement with CAPRA and other matters, generally in accordance with the contents of the email from Council to Mr James Price dated 21 October 2021.**
- 3. That the Common Seal of Council be attached to any necessary documentation.**
- 4. That the information and considerations remain confidential to the Council.**

Carried

22.3***** NORTH BOURKE STORMWATER DRAINAGE****File Number: D6.2-V1.6**

The Council had before it the report of the General Manager regarding North Bourke Stormwater Drainage.

Motion**Moved: Cr Robert Stutsel****Seconded: Cr Sam Rice**

1. That as part of the September 2021 Quarterly Financial Review, Council allocate additional funds held in its Asset Renewal Reserve totalling \$515,000 towards remediation works in respect of the North Bourke drainage issue.
2. That the Warrego Street Drainage Channel construction proposal be noted.
3. That discussions be held involving the property owner and Councils Consulting Stormwater Engineer with a view to clarifying and progressing the design of the Warrego Street Drainage Channel, or other drainage options, for a further report to Council.
4. That the documents and considerations remain confidential to the Council.

Amendment**Moved: Cr Robert Stutsel****Seconded: Cr Sam Rice**

1. That as part of the September 2021 Quarterly Financial Review, Council allocate additional funds held in its Asset Renewal Reserve totalling \$515,000 towards remediation works in respect of the North Bourke drainage issue.
2. That the Warrego Street Drainage Channel construction proposal be noted.
3. That Council receive a further report of options regarding the retardation basin proposal be submitted to Council.

The amendment was put to the meeting and was lost

Lost

The motion was put to the meeting**Resolution 2021/312**

1. That as part of the September 2021 Quarterly Financial Review, Council allocate additional funds held in its Asset Renewal Reserve totalling \$515,000 towards remediation works in respect of the North Bourke drainage issue.
2. That the Warrego Street Drainage Channel construction proposal be noted.
3. That discussions be held involving the property owner and Councils Consulting Stormwater Engineer with a view to clarifying and progressing the design of the Warrego Street Drainage Channel, or other drainage options, for a further report to Council.
4. That the documents and considerations remain confidential to the Council.

Carried

Cr Stutsel requested that his vote be recorded against the motion.

At this juncture, the General Manager, Economic Development Manager, Manager Environmental Services, Manager Roads and Manager Works left the meeting during consideration of the following matter, the time being 10.34am

22.4 * GENERAL MANAGER RECRUITMENT**

File Number: S6.24

The Council had before it the report of the Mayor regarding the General Manager Recruitment.

Resolution 2021/313

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

- 1. That Mr Mark Riley be appointed as the Interim General Manager for a period of up to five (5) months effective 7 February 2022, with the actual term of the appointment being linked to the commencement date of the long-term General Manager to be recruited commencing February 2022.**
- 2. That the Mayor be authorised to finalise the necessary appointment and employment arrangements with Mr Riley.**
- 3. That the information and considerations remain confidential to the Council**

Carried

Resolution 2021/314

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That Council moves out of Closed Council into Open Council.

Carried

Open Council resumed at 10.37am

At this juncture the General Manager, Economic Development Manager, Manager Environmental Services, Manager Roads and Manager Works returned to the meeting, the time being 10.38am

RESOLUTIONS FROM CLOSED SESSION OF COUNCIL

At the request of the Mayor, the General Manager read to the meeting the resolutions determined in respect of Council reports numbered 22.1, 22.2 and 22.3, with the Manager Corporate Services reading to the meeting report number 22.4, as determined in the Closed Session of Council.

The Meeting closed at 10.40am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 November 2021.

.....

CHAIRPERSON

9 NOTICE OF MOTION

Nil

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	<ol style="list-style-type: none"> 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. 6. PCYC have advised that as a result of internal management changes they wish to defer discussions on land management till mid next year.

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. 7. NSW Govt. in Oct 2021 announced the Better Baaka Program which includes Weir renewals on the Darling and specifically upgrading of the Bourke Weir. Meeting with DPIE to be held in Bourke on 23 November 2021.

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> <p>GNB subsequently advised in August that due to COVID the consultations will now be undertaken in 2022.</p>

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.
--	---

2020/325 & 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
<p>1. That Council note the report on the responsibility and current condition of the access road to the summit of Mount Oxley.</p> <p>2. That Council note the status of telecommunication infrastructure located atop Mount Oxley.</p> <p>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.</p> <p>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>	<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	ACTION TAKEN
<p>Council continue to apply for funding to undertake the project</p> <p>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.</p>	<ol style="list-style-type: none"> 1. Ongoing. 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. No response to date.

2021/134	22.1 *** TENDER – BOURKE WATER RESERVOIR RECONSTRUCTION	
RESPONSIBLE OFFICER	PETER BROWN, MANAGER WORKS	
FILE NO	G4.7.79-W2.2	
DECISION		
<p>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.</p> <p>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.</p> <p>3. That the documents and considerations in respect of this matter remain confidential to Council.</p>	ACTION TAKEN	
	<p>1. Formal letter of acceptance provided to contractor.</p> <p>2. Work to commence in August 2021.</p> <p>3. Additional funding of \$520,000 received from State Government in July 2021.</p> <p>4. Work delayed till March 2022 due to COVID concerns.</p> <p>5. Procurement of steel by contractor proceeding.</p>	

2021/179	*** Sale of Land - North Bourke
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	
DECISION	
<p>That Council proceed to sell to Mr Scott and Mrs Paula Parry, Lot 61 DP 1027306 North Bourke</p> <p>That any necessary documents be executed under the Common Seal of Council.</p>	<p>1. Purchaser advised of Councils resolutions.</p> <p>2. Councils solicitor requested to prepare contract with a view to exchanging Contracts.</p> <p>3. Contract prepared and executed by Council.</p> <p>4. Contacts exchanged 18 October 2021. Settlement due 42 days thereafter.</p>

2021/197	ANNUAL CONFERENCE OF LOCAL GOVERNMENT NEW SOUTH WALES 28-30 NOVEMBER	
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER	
FILE NO		
DECISION		
<p>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.</p> <p>2. That Councillors be invited to submit motions to the General Manager for potential consideration at the 2021 LGNSW Conference.</p> <p>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.</p> <p>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.</p>	<p>1. Awaiting advice re date of Conference.</p> <p>2. Virtual Conference to meet statutory requirements to be held on 29 November 2021.</p>	

2021/198	FINAL MEETING OF COUNCIL ELECTED SEPTEMBER 2016	
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER	
FILE NO	C12.1	
DECISION		
<p>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 arrangements for a final dinner and a photograph to recognise the Bourke Council for the period 2016-2021, at the appropriate time.</p>	Action to be taken as required.	

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		
<p>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.</p>	For inclusion in the September Operational Plan Review	

2021/259	MAYORAL MINUTE - GENERAL MANAGER RECRUITMENT	
RESPONSIBLE OFFICER	BARRY HOLLMAN, MAYOR	
FILE NO	S6.24	
DECISION		
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.		1. Letter of engagement provided to LGMS

2021/264	NOTICE OF MOTION - ESTABLISHING A FULL TIME BANKING SERVICE IN BOURKE	
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER	
FILE NO	B2.1	
DECISION		
That inquiries be made with a view to establishing a full-time, full-service banking service for Bourke.		Letters sent to existing providers re service.

2021/268	PLAN OF DEVELOPMENT DAVISON OVAL PRECINCT	
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY, MANAGER ENVIRONMENTAL SERVICES	
FILE NO	P1.5	
DECISION		
That Council endorse the Masterplan development for the Davidson Oval precinct. That Council approve the expenditure of circa \$40,000 from the Infrastructure Renewal Reserve for the development of the Masterplan.		1. Two (2) quotations sourced. 2. Ross Planning engaged.

2021/269	CROWN LAND DRAFT PLANS OF MANAGEMENT
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY, MANAGER ENVIRONMENTAL SERVICES
FILE NO	L1.9

DECISION	
<p>Endorse the following Draft Plans of Management and refer them to the Department of Industry (Crown Lands) for landowner notification, and</p> <ul style="list-style-type: none"> - Draft Generic Plan of Management – Bourke Shire Council - Draft Plan of Management – Yantabulla Cemetery <p>(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.</p>	<p>Referred to Department of Industry, once approved will be placed on Public Exhibition.</p>

2021/ 271	AUSTRALIA DAY
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	C2.3, C2.3.1

DECISION	
<ol style="list-style-type: none"> 1. That the award categories as previously determined be maintained as follows: <ul style="list-style-type: none"> - 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. 	<ol style="list-style-type: none"> 1. Advertisements run in Western Herald during October/November 2. Nominations to be discussed at the workshop following 22 November Council meeting.

2021/296	TREE REMOVAL, KERB AND GUTTERING-18 MOCULTA STREET
RESPONSIBLE OFFICER	PETER BROWN. MANAGER WORKS
FILE NO	R7.7.20

DECISION

<ol style="list-style-type: none"> 1. That Council note the report on the kerb and guttering request at 18 Moculta Street and undertake the proposed repair work to be completed to the driveway to the property. 2. That Council accede to the request and take the necessary action to remove the Gum Tree at 18 Moculta Street Bourke, acting on the reports from the qualified arborist's. 	<ol style="list-style-type: none"> 1. Work to be completed. 2. Tree removed.
--	--

2021/298	CHRISTMAS – NEW YEAR CLOSURE
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	A3.10.1

DECISION

<ol style="list-style-type: none"> 1. That Councils Shire Office and Library close at 4.30pm on Thursday, 23 December 2021 and re-open at their respective regular opening times on Tuesday, 4 January 2022. 2. That Thursday, 24 December 2021 be observed as the Union Picnic Day for relevant Council staff. 3. That Councils other facilities including the Memorial Swimming Pool, Waste Depot and Back O' Bourke Exhibition Centre close for Christmas Day on Saturday, 25 December 2021, and that dates and times of operation for these facilities during the remaining days of Christmas/New Year period be determined by the General Manager, having regard to demand and operational requirements. 4. That it be noted that Council will maintain a skeleton crew to provide appropriate on-call staff to respond to urgent maintenance work or emergency situations during the holiday period. 5. That the community be advised of Councils Christmas/New Year holiday arrangements. 	<p>Closures to be advertised in early December.</p>
---	---

2021/301	DRAFT COMMUNITY ENGAGEMENT STRATEGY 2022	
RESPONSIBLE OFFICER	LEONIE BROWN, MANAGER CORPORATE SERVICES	
FILE NO	P4.4	
DECISION		
1. That Council adopt the draft Community Engagement Strategy 2022 and place the Strategy on public exhibition for a period of 28 days for community consultation.	Placed on public exhibition	
2. That should there be no comments received during the exhibition period, then the Community Engagement Strategy 2022 be adopted.		

2021/302	WESTERN GOLF CHALLENGE	
RESPONSIBLE OFFICER	MEL MILGATE, ECONOMIC DEVELOPMENT MANAGER	
FILE NO	D5.1, S4.1 and S5.1	
DECISION		
That Council accede to the request from Gary Begg – Regional Manager Golf NSW requesting financial support in the amount of \$2,000 to assist with the grant application for the proposed Western Golf Challenge 2022.	EDM spoken with Gary Begg to confirm support. Western Golf Challenge Grant Application to be completed start of 2022. Letter of support from Bourke Shire Council drafted.	

2021/311	DEED OF AGREEMENT - CAPRA PTY LTD - PROPOSED SALE OF SMALL STOCK ABATTOIR – OCTOBER 2021 UPDATE	
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER	
FILE NO	A1.1, D2.7 and D2.17	
DECISION		
1.	That the report of the General Manager regarding the “Deed of Agreement – CAPRA Pty Ltd – October 2021 Update” be noted.	1. Deed of Termination executed with Commonwealth on 29 October 2021.
2.	2. That the General Manager, in consultation with the Mayor, be authorised, as appropriate, to take the necessary action to finalise the funding agreement with CAPRA and other matters, generally in accordance with the contents of the email from Council to Mr James Price dated 21 October 2021.	2. Deed of Termination executed with CAPRA Developments on 11 November 2021. Deed is subject to settlement of sale of the abattoir to Thomas Foods International.
3.	That the Common Seal of Council be attached to any necessary documentation	

2021/312	NORTH BOURKE STORMWATER DRAINAGE	
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER	
FILE NO	D6.2 and V1.6	
DECISION		
1.	That as part of the September 2021 Quarterly Financial Review, Council allocate additional funds held in its Asset Renewal Reserve totalling \$515,000 towards remediation works in respect of the North Bourke drainage issue.	1. Discussions held with property owner.
2.	That the Warrego Street Drainage Channel construction proposal be noted.	2. Report to come to December Council meeting.
3.	That discussions be held involving the property owner and Councils Consulting Stormwater Engineer with a view to clarifying and progressing the design of the Warrego Street Drainage Channel, or other drainage options, for a further report to Council.	

2021/313	GENERAL MANAGER RECRUITMENT
RESPONSIBLE OFFICER	LEONIE BROWN, GENERAL MANAGER
FILE NO	S6.24

DECISION

<p>1. That Mr Mark Riley be appointed as the Interim General Manager for a period of up to five (5) months effective 7 February 2022, with the actual term of the appointment being linked to the commencement date of the long-term General Manager to be recruited commencing February 2022.</p> <p>2. That the Mayor be authorised to finalise the necessary appointment and employment arrangements with Mr Riley.</p>	<p>Letter of appointment issued</p> <p>Contract signed and issued, delegation report included in November Business Paper</p>
--	--

Recommendation
That the information in the Business Arising Report as presented to Council on Monday, 22 November 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				
November	22	9.15am	Council Meeting	Council Chamber
December	04		Council Elections	
December	9	12 noon	Extraordinary	Council Chamber
December	20	9.15am	Council Meeting	Council Chamber

Recommendation

That the information in the Calendar of Events Report as presented to Council on Monday, 22 November 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
19/10/2021	Inside Local Government News	Inside Local Government	✓
19/10/2021	Media Release – Border blue casts doubt on harvest	NSW Farmers	✓
19/10/2021	Council e-news	Council e-news	✓
19/10/2021	Roy's Round- Up 18 October 2021	Roy Butler Member for Barwon	✓
19/10/2021	Inside Local Government News	Inside Local Government	✓
19/10/2021	NOVEL CORONAVIRUS (COVID-19) UPDATE - Tuesday 19 October 2021	WNSWLHD	✓
19/10/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
19/10/2021	Inside Local Government News	Inside Local Government	✓
19/10/2021	Government News	Government News	✓
21/10/2021	GM's Column	GM	✓
20/10/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
25/10/2021	NSW Health Media Release - COVID-19 Update	WNSWLHD	✓
25/10/2021	Media Release - Biosecurity threat to future of farms and regions	NSW Farmers	✓
26/10/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
26/10/2021	NSW Health Media Release - COVID-19 Update	WNSWLHD	✓
26/10/2021	Media Release - Price hikes a double whammy on harvest efforts	NSW Farmers	✓
26/10/2021	Council e-news	Council e-news	✓
26/10/2021	OLG's fortnightly e-newsletter - 22 October 2021	OLG	✓
26/10/2021	Inside Local Government News	Inside Local Government	✓
27/10/2021	GM's Column	GM	✓
27/10/2021	WNSWLHD media release - COVID-19 update	WNSWLHD	✓
27/10/2021	NSW Health Media Release - COVID-19 Update	WNSWLHD	✓
28/10/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓


28/10/2021	NSW Health Media Release: NOVEL CORONAVIRUS (COVID-19) UPDATE	WNSWLHD	✓
29/10/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
29/10/2021	NSW Health Media Release: NOVEL CORONAVIRUS (COVID-19) UPDATE	WNSWLHD	✓
29/10/2021	Weekly Newsletter RDA	RDA Orana NSW	✓
29/10/2021	Industry and business COVID-19 update	NSW Government	✓
29/10/2021	The Weekly Newsletter, 26 October 2021	LG NSW	✓
01/11/2021	NOVEL CORONAVIRUS (COVID-19) UPDATE - Monday 1 November 2021	WNSWLHD	✓
01/11/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
02/11/2021	Council e-news	Council e-news	✓
02/11/2021	Inside Local Government News	Inside Local Government	✓
02/11/2021	NSW Health Media Release: NOVEL CORONAVIRUS (COVID-19) UPDATE	WNSWLHD	✓
02/11/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
02/11/2021	WNSWLHD media release - Vaccination effort must continue as WNSWLHD records zero new cases of COVID-19	WNSWLHD	✓
02/11/2021	Government News	Government News	✓
03/11/2021	COVID-19 Council Update - 2 November 2021	WNSWLHD	✓
03/11/2021	COVID-19 reopening roadmap update	NSW Government	✓
03/11/2021	GMs Column 4 November 21	GM	✓
03/11/2021	WNSWLHD media release - Visitor restrictions remain in place at WNSWLHD facilities	WNSWLHD	✓
04/11/2021	Meeting with NSW Water Better Baaka Better Bidgee Manex & Councillors	Executive Assistant	✓
04/11/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
08/11/2021	Weekly Newsletter RDA	RDA Orana NSW	✓
08/11/2021	WNSWLHD media release - COVID-19 daily update	WNSWLHD	✓
08/11/2021	Government News	Government News	✓
08/11/2021	OLG's fortnightly e-newsletter - 5 November 2021	OLG	✓
08/11/2021	NOTIFICATION - Changes to WNSWLHD COVID-19 updates	WNSWLHD	✓
9/11/2021	Council Magazine	Council e-news	✓
10/11/2021	GM's Column	GM	✓
11/11/2021	Weekly Newsletter	RDA Orana NSW	✓
11/11/2021	Inside Local Government	Inside Local Government	✓
12/11/2021	Government News	Government News	✓
12/11/2021	Corruption Matters - issue 58	I.C.A.C	✓

Recommendation

That the contents of the Information to Councillors Report as presented to Council on Monday, 22 November 2021 be noted.

12 ENGINEERING SERVICES DEPARTMENT

Nil

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT**13.1 STATE OF THE ENVIRONMENT REPORT 2016-2021****File Number:** E6.3.1**Author:** Dwayne Willoughby, Manager Environmental Services**Authoriser:** Mark Riley, General Manager**Attachments:** 1. 2016-21 Bourke SOE Report [↓](#) **Background**

A State of the Environment (SoE) Report is an important management tool which aims to provide the community and Local Council with information on the condition of the environment in the local area to assist in decision-making.

Current Situation

Since 2007, the Councils of the Greater Central West Region of NSW have joined to produce Regional SoE Reports as part of Council reporting requirements. NSW legislation means that Councils are not required to produce SoE reports each year, but in the year of the Council election. However, the participating Councils have decided to continue reporting on an annual basis so that they can provide a detailed SoE report that covers trends in the intervening years.

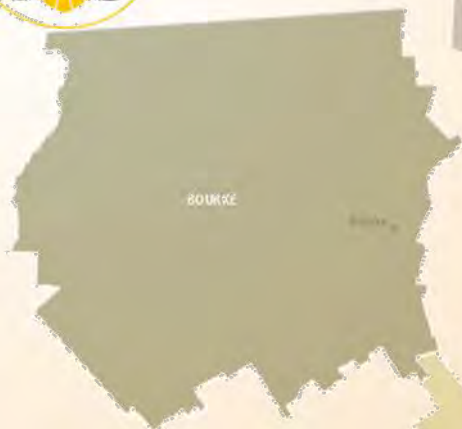
Being the year of the Council election, this SoE report responds to the requirement in the Local Government Act 1993 that Councils measure and report on the progress of the environmental objectives or strategies in their Community Strategic Plan (CSP). This report lists Council's environmental strategies, identifies appropriate indicators to measure them and briefly reports on trends in these indicators since the last Council election (2016). It also discusses any major environmental impacts on the environmental strategies between 2016 and 2021.

Council participated in this joint report with the expectation that a collaborative approach, to what are mostly region wide issues, might assist in making the reports a more useful tool in assisting Council to measure and act against the community impacts on the environment.

Recommendation**That the Bourke State of Environment Report 2016-2021 be noted.**



State of the Environment Report 2016-21



1. Land
2. Biodiversity
3. Water and Waterways
4. People and Communities
5. Towards Sustainability

The table below shows how Council's Environmental Strategies are measured by the Environmental Indicators detailed in the remainder of the report.

ENVIRONMENTAL STRATEGY	ENVIRONMENTAL INDICATORS
1. Managing the built environment sustainably	Land, Biodiversity, Water and Waterways, People and Communities, Towards Sustainability
2. Securing sustainable water and wastewater for all	Water and Waterways
3. Ensuring our heritage and culture are respected	People and Communities

A State of the Environment (SoE) Report is an important management tool which aims to provide the community and Local Council with information on the condition of the environment in the local area to assist in decision-making.

Since 2007, the Councils of the Greater Central West Region of NSW (see map) have joined to produce Regional SoE Reports as part of Council reporting requirements.

NSW legislation means that Councils are not required to produce SoE reports each year, but in the year of the Council election. However, the participating Councils have decided to continue reporting on an annual basis so that they can provide a detailed SoE report that covers trends in the intervening years.

The 2020 Council elections were postponed until 2021 due to the COVID-19 pandemic. Being the year of the Council election, this SoE report responds to the requirement in the Local Government Act 1993 that Councils measure and report on the progress of the environmental objectives or strategies in their Community Strategic Plan (CSP).

This report lists Council's environmental strategies, identifies appropriate indicators to measure them and briefly reports on trends in these indicators since the last Council election (2016). It also discusses any major environmental impacts on the environmental strategies between 2016 and 2021.

Environmental Strategies

In the Bourke Shire CSP, there are three environmental strategies under the objective Environmental Sustainability:

1. Managing the built environment sustainably
2. Securing sustainable water and wastewater for all
3. Ensuring our heritage and culture are respected.

Environmental Indicators

Over 100 indicators have been identified and used to measure the state of the environment across the Greater Central West region using data compiled over the past five years. The indicators are categorised into five themes:

Trends/Environmental Impacts

Land The number of development consents has remained relatively constant over the past five years. Although the number of mining titles has remained the same over the past two years, the area of mining has increased.

Biodiversity The area of land in the national park estate increased over the last five years. There was a large number of native fish restocked into the Darling River in 2020-21 reflecting improved flows.

Water and Waterways There was an increase in surface water and groundwater irrigation activity in the LGA in the past five years. Local town water consumption was relatively consistent although there was less water use during the drought.

People and Communities There was a significant increase in the number of hours spent in volunteering for environmental projects. The number of indigenous sites identified on the AHIMS register rose steadily over the past five years.

Towards Sustainability The annual amount of waste generated per person has risen over the past four years, with the lowest amount of garden organics diverted from landfill being in 2020-21. Council's greenhouse gas emissions were at their lowest level in the past three years.

Land

Issue	Indicator	2016-17	2017-18	2018-19	2019-20	2020-21	Trend
Contamination	Contaminated land sites - Contaminated Land Register (number)	0	0	0	0	0	↔
	Contaminated land sites - potentially contaminated sites (number)	6	6	6	6	6	↔
	Contaminated sites rehabilitated (number)	0	0	0	0	0	↔
Erosion	Erosion affected land rehabilitated (ha)	0	0	0	0	0	↔
Land use planning and management	Number of development consents and building approvals	15	21	17	12	18	↓
	Landuse conflict complaints (number)	1	2	0	1	1	↔
	Loss of primary agricultural land through rezoning (ha)	0	0	0	0	0	↔
Minerals & Petroleum	Number of mining and exploration titles				18	18	↔
	Area covered by mining and exploration titles (ha)	542,000	118,000	189,000	229,000	342,000	↓

↑ improvement ↔ no or little change ↓ worsening trend

Note - the trend is based on comparing the average of the four previous years of reporting with 2020-21

Biodiversity

Issue	Indicator	2016-17	2017-18	2018-19	2019-20	2020-21	Trend
Habitat Loss	Total area in the National Parks Estate (ha)	266,000	266,000	266,000	266,000	273,000	↑
	Total area of State Forests (ha)	0	0	0	0	0	↔
	Total area protected in Wildlife Refuges (ha)				181,000	132,000	↓
	Area protected in conservation reserves & under voluntary conservation agreements (ha)	19	19	19	368	366	↓
	Extent of Traveling Stock Reserves in LGA (ha)			206,000	226,000	227,000	↑
	Proportion of Council reserves that is bushland/remnant vegetation	56%	56%	58%	58%	58%	↑
	Habitat areas revegetated (ha)	0	0	0	0	0	↔
	Clearing complaints (number)	1	0	0	0	1	↓
	Roadside vegetation management plan (Yes/No)	Yes	Yes	Yes	Yes	Yes	↔
	Roadside vegetation rehabilitated (ha)	0	0	2	0		↔
Threatened Species	Threatened species listed (number)				83	82	↔
	Threatened species actions implemented (e.g. PAS, recovery plans) (number)	0	0	0	0	0	↔
	Fish restocking activities: native species (number)	28,940	5,000	0	0	53,226	↑
Priority weeds and feral animals	Fish restocking activities: non-native species (number)	0	0	0	0	0	↔
	Number of declared priority weeds			85	83	91	↓
	Invasive species (listed priority or WONS) under active management (number)	11	11	9	10	10	↔



Water and Waterways

Issue	Indicator	2016-17	2017-18	2018-19	2019-20	2020-21	Trend
Surface & Ground Water Quality	<i>E. coli</i> remote from wastewater treatment plants (per 100ml)	0	0	0	0	0	↔
Riparian	Riparian vegetation recovery actions (number)	0	0	0	0	0	↔
	Riparian vegetation recovery area (ha)	0	0	0	0	0	↔
Industrial/ Agricultural Pollution	Load Based Licencing Volume (kg)	1,035	1,633	1,412	3,208	1,174	↓
	Exceedances of license discharge consent recorded (number)	0	0	0	0	0	↔
	Erosion & Sediment Control complaints received by Council (number)	3	1	2	0	0	↓
Stormwater Pollution	Number of gross pollutant traps installed	6	6	6	6	6	↔
	Total catchment area of GPTs (ha)	88	88	88	88	88	↔
	Water pollution complaints (number)	0	0	0	0	0	↔
Town Water Quality	Number of instances drinking water guidelines not met	2	6	9	8	22	↑
	Number of drinking water complaints	0	0	4	0	0	↓
Water extraction	Number of Water Supply Work Approvals from surface water sources	99			92	116	↓
	Volume of surface water permissible for extraction under licences (GL)	100			99	146	↓
	Actual volume extracted through surface water licences (GL)					117	↔
	Number of Water Supply Work Approvals from groundwater resources	678			690	696	↓
	Volume of groundwater permissible for extraction under licences (GL)	0.52			3.8	3.7	↓
	Actual volume extracted through groundwater licences (GL)				1.6	1.3	↓
Council water consumption	Area of irrigated Council managed parks, sportsgrounds, public open space (ha)	160	160	160	160	160	↔
	Water used by council for irrigation (including treated and untreated) (ML)	0			0	0	↔
Town water consumption	Annual metered supply (ML)	495	477	445	345	448	↓
	Annual consumption (Total from WTP) (ML)	1,989	1,750	1,156	1,204	1,204	↓
	Average annual household mains potable water usage (kL)				0.0	0.0	↔
	Average level of water restrictions implemented	0.0	1.0	5.0	3.0	2.0	↓
	Water conservation programs (number)	1	1	1	2	2	↓

People and Communities

Issue	Indicator	2016-17	2017-18	2018-19	2019-20	2020-21	Trend
Active community involvement	Environmental volunteers working on public open space (hours)	100	100			200	↓
	Number of environmental community engagement programs	4	3	2	4	3	↔
	Number of growers' markets/local food retailers specialising in local food	12	10	6	4	2	↓
Indigenous Heritage	Number of Indigenous sites on AHIMS register	1,209	1,221	1,337	1,359	1,378	↓
	Inclusion in DCPs & rural strategies (yes/no)	Yes	Yes	Yes	Yes	Yes	↔
	Extent of liaison with Indigenous communities (self-assessed from 0 = none to 3 = High)				3.0	3.0	↔
	Development approvals on listed Indigenous sites (number)	0	0	0	0	0	↔
	Number of indigenous heritage management actions/responses	1	2	1	1	1	↓
Non-Indigenous Heritage	NSW Heritage Items (number)	6	6	6	6	6	↔
	Locally listed heritage items (number)	34	34	34	34	34	↔
	Actions to protect non-Indigenous heritage (including management plans) (number)	1	1	1	1	1	↔
	Heritage buildings on statutory heritage lists demolished/degraded in past year (number)	0	1	0	0	0	↓
	Heritage buildings on statutory heritage lists renovated/improved in past year (number)	0	2	3	3	1	↓

Towards Sustainability

Issue	Indicator	2016-17	2017-18	2018-19	2019-20	2020-21	Trend
Waste Generation	Total waste entombed at primary landfill (tonnes)	2,316	1,650	2,021	1,763	2,197	↓
	Total waste entombed at other landfills (exc recyclables) (tonnes)	210	180	115	108	112	↓
	Average total waste generated per person (tonnes)	0.91	0.67	0.81	0.72	0.88	↓
	Average cost of waste service per residential household	\$279	\$284	\$285	\$285	\$285	↓
Hazardous/Liquid Waste	Drum/muster collections (number of drums)	0	0	0	0	0	↔
	Household Hazardous Wastes collected (kg)	0	0	0	0	0	↔
Reduce	Organics collected (diverted from landfill) (tonnes)	348	420	333	229	210	↓
	E-Waste collected (diverted from landfill) (tonnes)	6	4	2	3	8	↓
Recycle	Volume of material recycled (tonnes)	308	276	157	240	4	↓
	Volume of material recycled per person (kg)	110	102	60	93	2	↓
Littering and illegal dumping	Number of illegal waste disposal complaints to Council	19	15	8	4	5	↓
Engineering, Infrastructure and Civil Works	New road construction (km)	1	0	0	34	3	↓
	Road upgrades (km)	56	62	77	37	71	↓
Risk Management	Flood management plans/ flood mapping - increase in area covered (ha)	0	0	100	100	0	↓
	Hazard reduction burns (number)		0	1	5	15	↓
Climate Change Mitigation	Office paper used by Council (A4 & A3 reams)	340	319	374	370	384	↓
	Council sustainability initiatives (number)	5	5	4	4	4	↓
	Council mitigation initiatives (number)	2	1	3	3	3	↓
Council Greenhouse Gas Emissions	Annual electricity consumption for Council controlled facilities (MWh)						↔
	Annual natural gas consumption for Council controlled facilities (Gj)						↔
	Annual bottled gas consumption for Council controlled facilities (L)						↔
	Total fuel consumption (KL)	427		441	602	606	↓
	Proportion of Council's electrical energy demand met from council-owned renewable energy infrastructure				0.0%	0.0%	↔
	Council total operational greenhouse gas emissions (tCO ₂ -e/year)	3,803	3,284	3,450	3,607	3,391	↓
Community Greenhouse Gas Emissions	Small scale renewable energy uptake (kW installed)	261	565	246	371	477	↓
	Number of solar water heaters and heat pumps installed			0	0.97	0	↓



CASE STUDY: Fish Restocking Program (Bourke LGA)

Bourke Shire Council partnered with the local 'Aint caught Nuffin' fishing club gaining funding through the 'dollar for dollar' native fish restocking program.

The aim of the program is to enhance recreational freshwater fishing opportunities to support local communities in stocking native fish species and to increase community and industry involvement in, and awareness of responsible stocking.

The restocking program is helping to promote the values of sustainable fishing by providing a sense of community ownership and responsibility for our native freshwater fisheries.

Fish stocking can provide many benefits such as creating new fisheries or augmenting existing ones and is recognized for its importance to the community in terms of quality recreational fishing, conservation outcomes, employment and subsequent economic benefits that have grown in response to the activity.

Through the joint program, a total of 31,818 juvenile fingerlings were released consisting of 18,182 Golden Perch and 13,636 Murray Cod. The fingerlings were placed and let go into targeted areas of the Darling River within the Bourke Local Government Area.



Release of fingerlings into the Darling River.





Bourke Shire Council
 Council Office
 29 Mitchell St
 Bourke NSW 2840

Phone: (02) 6830 8000
www.bourke.nsw.gov.au

Mailing Address
 General Manager
 Bourke Shire Council
 PO Box 21
 Bourke NSW 2840

14 GENERAL MANAGER

14.1 *** CODE OF MEETING PRACTICE

File Number:	C12.1
Author:	Mark Riley, General Manager
Authoriser:	Mark Riley, General Manager
Attachments:	1. 1.6.1(v7) - Code of Meeting Practice  

Background

Council at its May 2019 meeting adopted a revised Code of Meeting Practice in accordance with a Draft Code of Meeting Practice as developed by the Office of Local Government. In August 2020 Council adopted a revised Code of Meeting Practice to generally take account of requirements in respect of the recording of meetings of the Council being retained on Council's website for 12 months or more.

Current Situation

The Minister for Local Government has recently announced permanent changes to the Model Code of Meeting Practice for Local Councils in NSW to facilitate remote meeting access.

As Councillors are aware, Councils have had the ability to hold official meetings by electronic means as a temporary measure to protect Councillors, staff and members of the public during the COVID-19 pandemic.

Following consultation, the Government has now made changes to the Model Code of Meeting Practice to provide the option of remote attendance by Councillors on an ongoing option.

New provisions have also been included in the Model Code of Meeting Practice to allow Council meetings to be held entirely online in the event of natural disasters and public health emergencies. This will ensure Council's decision making function can continue during crises such as COVID-19, bushfires and floods.

Attached herewith is a revised Code of Meeting Practice for Councils consideration. Given that Council has provided Councillors the opportunity to attend Council Meetings remotely on two (2) occasions in recent months, the revised Code as presented continues this practice and proposes that individual Councillor's be permitted to participate in official meetings by audio-visual link if they can't attend in person because of illness, disability, caring and work responsibilities or such other reasons acceptable to the Council.

Approval must be given by resolution and to ensure public accountability the reason for remote meeting attendance must be specified except where it is on grounds of illness, disability or caring responsibilities (for technical health-related privacy reasons).

The various amendments to the Code are identified in red print in the attached document. There are some additional minor amendments also included in the draft.

In regard to exhibiting the Code for public comment, Section 363 of Local Government Act, being the Amendment of the Code, provides that "A Council may amend a code adopted under this Part by means only of a code so adopted."

In all, the proposed amendments either reflect statutory requirements or are changes very minor in nature. Accordingly, there is no requirement for the Code of Meeting Practice to be exhibited for the purpose of inviting public submissions.

This Code will also be provided to the newly elected Council for consideration early in its electoral term, and certainly within 12 months of it being elected, as required by the Local Government Act.

Financial Implications

There are no financial implications arising from this report.

Recommendation

- 1. That Council note the minor changes to the Code as presented mainly relating to the holding of remote meetings.**
- 2. That the revised Bourke Shire Council Code of Meeting Practice dated November 2021 be adopted without the need to advertise in accordance with *section 362 of the Local Government Act 1993*.**
- 3. That a copy of the revised Code of Meeting Practice be placed on Councils Website.**

CODE OF MEETING PRACTICE



BOURKE SHIRE COUNCIL
NOVEMBER 2021

Policy No: 1.6.1 (v7)
Date Adopted: 22/11/2021
Resolution No: 2021/xxx
Supersedes: 1.6.1 (v6)

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

This page has been left intentionally blank

Table of Contents

Introduction	4
Meeting Principles	4
Before the Meeting	5
Public Forums	9
Coming Together	11
The Chairperson	17
Modes of Address	18
Order of Business for Ordinary Council Meetings	18
Consideration of Business at Council Meetings	18
Rules of Debate	21
Voting	24
Closure of Council Meetings to the Public	26
Keeping Order at Meetings	30
Conflicts of Interest	33
Decisions of the Council	33
Time Limits on Council Meetings	35
After the Meeting	35
Council Committees	37
Irregularities	40
Definitions	41

1. Introduction

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

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

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

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

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

2. Meeting Principles

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. Before the Meeting

Timing of ordinary Council meetings

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

Extraordinary meetings

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

Notice to the public of Council meetings

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

Notice to Councillors of ordinary Council meetings

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

Notice to Councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at Council meetings

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

Questions with notice

- 3.14 A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the Council.
- 3.15 A Councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the Council, or a question that implies wrongdoing by the general manager or a member of staff of the Council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the Council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
 - (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.
- Note: Clause 3.21 reflects section 9(2A)(a) of the Act.**
- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

- 3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and committees of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council.
Note: Clause 3.24 reflects section 9(2) and (4) of the Act.
- 3.25 Clause 3.24 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.
Note: Clause 3.25 reflects section 9(2A)(b) of the Act.
- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.
Note: Clause 3.26 reflects section 9(3) of the Act.
- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.
Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

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

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the Council, the general manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council.

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

4. Public Forums

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

- 4.8 No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the general manager or their delegate is to determine who will address the Council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the Mayor or the Mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to five (5) minutes.
- 4.17 Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the Council for up to five (5) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.

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

5. Coming Together

Attendance by Councillors at meetings

- 5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of committees of the Council of which they are members.

Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

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

The quorum for a meeting

- 5.9 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.
Note: Clause 5.9 reflects section 368(1) of the Act.
- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.
Note: Clause 5.10 reflects section 368(2) of the Act.
- 5.11 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the Councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the Mayor may, in consultation with the general manager and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual

link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.

- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend Council meetings

- 5.31 Everyone is entitled to attend a meeting of the Council and committees of the Council. The Council must ensure that all meetings of the Council and committees of the Council are open to the public.
Note: Clause 5.31 reflects section 10(1) of the Act.
- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.33 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:
(a) by a resolution of the meeting, or
(b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.
Note: Clause 5.33 reflects section 10(2) of the Act.

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

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:
- (a) at the same time as the meeting is taking place, or
 - (b) as soon as practicable after the meeting.
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.
- 5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.40 The general manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a committee of the Council of which all of the members are Councillors.
Note: Clause 5.40 reflects section 376(1) of the Act.
- 5.41 The general manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote.
Note: Clause 5.41 reflects section 376(2) of the Act.
- 5.42 The general manager may be excluded from a meeting of the Council or a committee while the Council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.
Note: Clause 5.42 reflects section 376(3) of the Act.
- 5.43 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.
- 5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

6. The Chairperson

The chairperson at meetings

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

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

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

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

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

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

6.4 The election of a chairperson must be conducted:

(a) by the general manager or, in their absence, an employee of the Council designated by the general manager to conduct the election, or

(b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

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

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

(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and

(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

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

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

Chairperson to have precedence

6.9 When the chairperson rises or speaks during a meeting of the Council:

(a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and

(b) every Councillor present must be silent to enable the chairperson to be heard without interruption.

7. Modes of Address

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

8. Order of Business for Ordinary Council Meetings

- 8.1 Removed (not applicable)
- 8.2 The general order of business for an ordinary meeting of the Council shall be:
1. Opening Prayer
 2. Acknowledgement of Country
 3. Remembrance
 4. Apologies and applications for a leave of absence
 5. Attendance by audio-visual link by councillors
 6. Disclosures of Interest
 7. Mayoral Minutes
 8. Starring of Items
 9. Confirmation of the Minutes
 10. Notices of Motion
 11. Rescission Motions
 12. Business Arising
 - 13-19. General Manager and Departmental Reports
 20. Delegates and Councillors Reports
 21. Policies
 22. Precis of Correspondence
 23. Activity Reports
 24. Confidential matters
 25. Conclusion of the meeting
- 8.3 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
Note: If adopted, Part 13 allows Council to deal with items of business by exception.
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9. Consideration of Business at Council Meetings

Business that can be dealt with at a Council meeting

- 9.1 The Council must not consider business at a meeting of the Council:

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

Mayoral Minutes

- 9.6 Subject to clause 9.9, if the Mayor is the chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.
- 9.7 A Mayoral minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of a Mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.
- 9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

- 9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

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

Reports of committees of Council

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

Questions

- 9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A Councillor may, through the chairperson, put a question to another Councillor about a matter on the agenda.
- 9.16 A Councillor may, through the general manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

10. Rules of Debate

Motions to be seconded

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

Notices of motion

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

Chairperson's duties with respect to motions

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

Motions requiring the expenditure of funds

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

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.

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

Foreshadowed motions

- 10.17 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.21 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a Councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.31 Removed (not applicable)

11. Voting

Voting entitlements of Councillors

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

Voting at Council meetings

- 11.5 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a Councillor who has voted against a motion put at a Council meeting so requests, the general manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's minutes for the meeting.
- 11.9 When a division on a motion is called, any Councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or deputy Mayor is to be by secret ballot.
- 11.11 Removed (not applicable)

Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.

- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.
Note: Clauses 11.12–11.15 reflect section 375A of the Act.

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

12. Committee of The Whole

- 12.1 The Council may resolve itself into a committee to consider any matter before the Council.
Note: Clause 12.1 reflects section 373 of the Act.
- 12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.
Note: Clauses 10.20–10.30 limit the number and duration of speeches.
- 12.3 The general manager or, in the absence of the general manager, an employee of the Council designated by the general manager, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. Dealing with Items by Exception

- 13.1 The Council or a committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the Council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The Council or committee must not resolve to adopt any item of business under clause

- 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's code of conduct.

14. Closure of Council Meetings to the Public

Grounds on which meetings can be closed to the public

- 14.1 The Council or a committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the Council's code of conduct.

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

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

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

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
- Note:** Clause 14.3 reflects section 10B(1) of the Act.
- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.
- Note:** Clause 14.4 reflects section 10B(2) of the Act.
- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.
- Note:** Clause 14.5 reflects section 10B(3) of the Act.
- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.
- Note:** Clause 14.6 reflects section 10B(4) of the Act.
- 14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.
- Note:** Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is

- a matter referred to in clause 14.1, and
- (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
- (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The Council, or a committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by 8.30am on the day of the meeting at which the matter is to be considered.

- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

- 14.13 No more than three (3) speakers are to be permitted to make representations under clause 14.9.

- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the Council.

- 14.15 The general manager (or their delegate) is to determine the order of speakers.

- 14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three (3) speakers to make representations in such order as determined by the chairperson.

- 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-Councillors from meetings closed to the public

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

Obligations of councillors attending meetings by audio-visual link

- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- the relevant provision of section 10A(2) of the Act,
 - the matter that is to be discussed during the closed part of the meeting,
 - the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

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

15. Keeping Order at Meetings

Points of order

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

Questions of order

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

Motions of dissent

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

Acts of disorder

- 15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a committee of the Council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another Councillor or person present at the meeting,
- or

- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a Councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

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

Expulsion from meetings

- 15.14 Removed (not applicable)
- 15.15 All chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person other than a Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the Council or the committee of the Council.
- 15.16 Clause 15.15 does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 15.17 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.
- Note:** Clause 15.17 reflects section 233(2) of the Regulation

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.
- 15.24 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. Conflicts of Interest

- 16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17. Decisions of the Council

Council decisions

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

Rescinding or altering Council decisions

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

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

Recommitting resolutions to correct an error

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

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

18. Time Limits on Council Meetings

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

19. After the Meeting

Minutes of meetings

- 19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

Note: Clause 19.1 reflects section 375(1) of the Act.

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

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

- 19.8 The Council and committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.
Note: Clause 19.8 reflects section 11(1) of the Act.
- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.
Note: Clause 19.9 reflects section 11(2) of the Act.
- 19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.
Note: Clause 19.10 reflects section 11(3) of the Act.
- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

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

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

20. Council Committees

Application of this Part

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

Council committees whose members are all Councillors

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

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

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

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

Functions of committees

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

Notice of committee meetings

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

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

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

Attendance at committee meetings

20.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-members entitled to attend committee meetings

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

Chairperson and deputy chairperson of Council committees

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

Procedure in committee meetings

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

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.

- 20.20 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

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

Minutes of Council committee meetings

- 20.23 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) **the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,**
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 20.24 Removed (not applicable)
- 20.25 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

21. Irregularities

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

Note: Clause 21.1 reflects section 374 of the Act.

26. Definitions

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

the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

14.2 * END OF TERM REPORT 2021**

File Number: P4.2, P4.4
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

The Council as elected September 2016 was originally to hold office for a period of four (4) years ending in September 2020. As a result of the COVID Pandemic, the NSW Minister for Local Government, initially postponed the elections planned for September 2020 until 4 September 2021, and then with the further COVID outbreak in 2021, the elections were again postponed till 4 December 2021. In total what started as a 48-month term for the current Council, their term was ultimately extended to a 63-month period.

At the end of each Council term, the outgoing Council is required to report on its progress in implementing the Community Strategic Plan (CSP). This report must be reported to the final meeting of the outgoing Council and also incorporated in the annual report for the relevant year (2020/2021).

Progress in respect of implementing the CSP can be measured against the implementation of actions in the Delivery Program for each theme. Implementation of the Delivery Plan for the term of Bourke Council was previously reported to Council in August 2021.

Current Situation

The 2016-2021 Council adopted the Bourke Community Strategic Plan in June 2017 following a period of extensive consultation with the community and stakeholders. This consultation informed the direction of the plan and the future goals and strategies for the Bourke Shire.

The 2017 Bourke Community Strategic Plan contains 5 key strategies and a series of accompanying objectives

- Environmental Sustainability
- Liveable and Vibrant Community
- Economic Prosperity
- Governance and organisational performance
- Infrastructure

In terms of Councils broad outcomes in progressing the implementation of these strategies, the following achievements are provided for each Financial year of the Plan. Also provided for each financial year, and given Councils high focus on securing Grant Funding, details of such funding provisions is also provided. They are substantial.

2017/2018 Achievements

- Establishment of the Far North West Joint Organisation, with membership comprising Bourke, Cobar and Walgett Council's. Funding provided by the NSW Government to the Joint Organisation to subsidise air services to member Council airports.

- Funding provided for reconstruction and sealing of 36 km of MR405, Wanaaring Road.
- Construction well advanced in respect of the Bourke Small Stock Abattoir.
- Completion of the Walkden's Bore project. This project will supplement the water supply for Bourke during times of drought, should the need arise.
- CBD Redevelopment Plans finalised. Council secured funding of \$1.5 million for the project from the Murray Darling Diversification Fund announced in 2016/2017.
- The regions tourism product continued to grow with Council happy to work with other Joint Organisation member Councils to utilise funding to enhance the tourist product. There were over 32,000 visitors to the Back O Bourke Centre during 2017/2018.

2017/2018 Grant Funding Secured

- Fixing Country Roads: funding of \$11,112,000 – reconstruction and sealing MR405 Wanaaring Road project.
- Regional Water and Wastewater Backlog Program: funding of \$8,564,000 – renewal of the Bourke Water Treatment Plant.
- Stronger Country Communities Round 1: funding of \$195,900 – Davidson Oval canteen and lighting upgrade and Coolican Oval lighting upgrade.
- Stronger Country Communities Round 1: funding of \$314,232 – North Bourke Sporting and Recreation Precinct upgrade.
- Better Boating Program: funding of \$85,000 – North Bourke Boat Ramp replacement.
- Stronger Country Communities Round 2: funding of \$300,000 – Wharf Precinct upgrade.
- Stronger Country Communities Round 2: funding of \$200,000 – Connecting Bourke to North Bourke Stage 1 and 2 path upgrades.
- Stronger Country Communities Round 2: funding of \$200,000 – Village beautification.
- Stronger Country Communities Round 2: funding of \$932,000 – Bourke Olympic Pool upgrade.
- Stronger Country Communities Round 2: funding of \$13,000 - Welcome to Bourke Signage
- NSW Department of Industry: funding of \$114,000 – Display upgrade and Cultural Garden Back O Bourke.

2018/2019 Achievements

- Winner of the A.R. Bluett Memorial Award *for a Rural Council* – “The greatest accolade a council in NSW can achieve.”
- Secured \$1,500,000 in tourism funding to upgrade the Back O Bourke Exhibition Centre café and display area.
- Stoney Rise Bore project piped and commissioned as part of a program to provide a sustainable water supply for Bourke township.
- Back O Bourke Regional Function and Conference Centre project completed.
- Hosted a successful 2019 Conference of the Western Division of Councils in February.
- Main Street project continued with the beautification of the CBD 80% complete. Planting delayed due to drought conditions.

- Wanaaring Road, MR405 project continued with the additional sealing of 62.25km.
- Dowling Track, MR 404 – Hungerford Road project with reconstruction and sealing an additional 8.5km of road.
- Alice Edwards Village streets sealed with footpaths and drainage components also completed under the Road Safety Infrastructure for Aboriginal villages program at a cost of \$767,000.
- Auspiced funds for the Muda Aboriginal Corporation for the purchase of property in Oxley St, Bourke to create an Indigenous Art Centre and Gallery.
- Finalised the purchase of the “Old Ambulance Station” for a men’s space to house the Bourke Men’s Shed.
- Upgrade of Central Park completed – including the basketball court, new toilets and shade structures.
- Replacement of the perimeter fence at the Bourke Memorial Swimming Pool completed.
- Play equipment and shade Installed at North Bourke, Enngonia, Louth and Wanaaring.
- New Public toilets at North Bourke.
- Bourke Small Stock Abattoir commissioning phase, albeit for a limited period.

2018/2019 Grant Funding Secured

- Far North West Joint Organisation: funding of \$1,425,000 – Upgrade to Back O Bourke displays and administration area.
- Office of Environment and Heritage: Funding of \$102,000 - Louth Levee investigation.
- Regional Cultural Fund: funding of \$60,000 – Ceramic Centre.
- Public Reserves Management Fund: funding of \$215,885 – Playground equipment upgrading at Enngonia, installation of pool fencing and repair of the Renshaw building.
- Safer Communities Fund Round 3: funding of \$232,580 – Upgrade to CCTV and lighting project.
- Drought Community Funding: funding of \$1,000,000 - projects included;
 - Bourke Cemetery toilet;
 - Community Organisations \$200,000 – (supporting events and club/village/organisations infrastructure)
 - Darling Park upgrade:
 - Back O Bourke Conference Centre upgrade;
 - Drought events;
 - Rural addressing project;
 - Central Park upgrade; and
 - Wharf upgrade.
- Restart NSW Fixing Country Roads: funding of \$4,660,000 – Wanaaring Road Stage 2 project.

- Regional Cultural Fund: funding of \$665,019 – Cultural Art Centre.
- Commonwealth Government: funding of \$926,000 – Wild Dog Control project.
- Safe and Secure Water Supplies: funding of \$2,092,000 – Drought proofing Bourke.

2019/2020 Achievements

- NSW Ministerial Cabinet visited Bourke in November 2019, the first time the entire Cabinet had met in such a remote location. Community Cabinet meeting also held.
- Dubbo to Bourke regular air service returns to Bourke after an absence of 12 years.
- MR405, Wanaaring Road project continued with the sealing of an additional 32km with additional funding secured to continue the project.
- Construction of new Water Treatment Plant progressed to 50% completion status.
- Drought proofing Bourke project continued with the drilling of the Belvedere Bore and the installation of a desalination plant at the Water Treatment Plant.
- Smart Water Meter upgrade project commenced with the installation of a new fleet of meters throughout Bourke and North Bourke.
- Council along with other Government agencies and the community worked together to deal with the hurdles posed by the COVID-19 pandemic.
- Stage 1 of the Main Street Upgrade Project was completed.
- Some 25,000 visitors attended the Back O Bourke Exhibition Centre with numbers down due to the COVID-19 Pandemic.
- Some 60 caravans were hosted for a period of 10 days when the Bush-Tracker Owners Group held their yearly get together in Bourke.
- Additional sealing of the sand hills near Fords Bridge on MR 404, Dowling Track Hungerford Road.
- Tenders invited for the replacement of the Charles Street Water Tower.
- The refurbishment of the Olympic swimming pool commenced.
- Drought Community funding – Economic stimulus including community infrastructure and community events.
- Boat ramp upgrade completed including the installation of toilet block.

2019/2020 Grant Funding Secured

- Stronger Community Fund Round 3: funding of \$282,500 – Growing Bourke and District.
- Stronger Community Fund Round 3: funding of \$310,00 – Bourke Kids Space and Fencing Project Davidson and Coolican Oval.
- Stronger Community Fund Round 3: funding of \$41,813 – Standing Stories and Cultural Sculptures.
- Stronger Community Fund Round 3: funding of \$70,000 – Youth Bike Track, Central Park.
- Everyone can Play: funding of \$21,915 – Shade over playgrounds.

- NSW Showground Stimulus: funding of \$297,858 -Upgrade to ablution facilities and irrigation system at Renshaw.
- Restart NSW, Fixing Country Bridges: funding of \$1,515,000 - MR68S, Jandra Creek and Compadore Bridge replacements.
- Restart NSW Fixing Country Roads: funding of \$9,450,000 – MR405 Wanaaring Road,

Stage 3 \$9,450,000

- Transport for NSW Fixing Local Roads: funding of \$4,600,000 – RLR 5 Caronga Peak Rd, Byrock.
- DPIE Drought Proofing Bourke: funding of \$2,000,000 – Finalise Water Project for Bore infrastructure.
- DPIE Bourke Business District Regeneration fund: funding of \$1,800,000 – Main Street project Stage 2.
- Restart NSW: funding of \$1,350,000 – Charles Street Reservoir renewal.
- Australian Government: funding of \$234,418 – Biosecurity Management of Pest and Weeds.
- Indigenous Story Telling: funding of \$270,000 – Percy Hobson and Standing Stories
- Fencing Davidson and Coolican Ovals.

2020/2021 Achievements

- 24/7 face-to-face health services for emergency presentations at the Bourke Multi-Purpose Service maintained.
- Water Treatment Plant upgrade completed.
- Smart Meter water meter project completed.
- Charles Street Reservoir project tender awarded and additional funding sourced.
- Welcomed over 26,000 visitors to the Back O Bourke Exhibition Centre.
- MR405 Wanaaring Road project continued with the sealing of an additional 36km with applications for funding to complete the final phase of the sealing project lodged.
- Refurbishment of the Bourke War Memorial Olympic Swimming Pool and filtration plant completed.
- 15 km of reconstruction and sealing of Caronga Peak Road completed.
- CBD redevelopment continued into Sturt Street and the Wharf precinct.
- Upgrades to the carparks at the Olympic Pool and Golf Club completed.
- Construction of a 4km granite cycleway north along Tancred Drive completed.
- Youth Bike track in Central Park completed.
- Compadore and Jandra Creek Bridge projects commenced.
- Upgrades to village infrastructure including Wanaaring and Enngonia Halls, Louth Tennis Courts and Fords Bridge Cricket facilities completed.
- Percy Hobson Mural completed on water tower in Percy Hobson Park.

- New Accessible toilets at Rotary Park and the Renshaw precinct
- Redevelopment of Cenotaph including podium and paving.

2020/2021 Grant Funding Secured

- Australian Government: funding of \$234,418 – Biosecurity Management of Pest and Weeds.
- Indigenous Story Telling: funding of \$270,000 – Percy Hobson and Standing Stories.
- Showground grant: funding of \$460,000 - upgrade to Bar area and cottage.
- MDBR Fund: funding of \$450,000 – Upgrade to Filtration Plant, Bourke Swimming Pool.
- Drought Community Funding Round 2: funding of \$945,000 – Various projects.
 - Community Organisation – (supporting events and club/village/organisations infrastructure);
 - Upgrade to Cemeteries including fencing and signage;
 - Storage Shed at Back O Bourke;
 - Hall upgrade, Enngonia;
 - Horse stall upgrade, Renshaw;
 - BBQ Area, Bourke Swimming Pool;
 - Standing Stories – Cultural sculptures;
 - Fencing, Louth Cricket Ground;
 - Cricket Shed, Fords Bridge;
 - Playground Equipment, Fords Bridge;
 - Replace Roof ,Wanaaring Hall;
 - Percy Hobson, Mural project;
 - Repairs to Grandstand, Enngonia;
 - Louth Tennis Court, renewal.
- LRCI Funding Round 1: funding of \$1,152,226 – Various projects.
 - Upgrade to carparks – Pool Complex and Golf Club;
 - Rotary Park toilet replacement;
 - Granite pathway to North Bourke;
 - Health and Wellbeing facility Back O Bourke Park including pontoon;
 - Advanced Shade Tree replacement;
 - Footpath upgrade;
 - Installation of irrigation systems at Back O Bourke gardens, Jones Park, Darling Park and Wharf area;
 - Fencing and access gate, Golf Club roadway.

- Transport for NSW Fixing Local Roads: funding of \$4,900,000 – RLR 5 Caronga Peak Road, River Road, Weir Road and Parkdale Road.
- LRCI Funding Round 2: funding of \$868,000 – Various projects.
 - Additional Swimming Pool shade;
 - Medical fence and irrigation system;
 - Disability path Back O Bourke;
 - Bourke Men’s Shed, relocation of toilet;
 - Solar Lights wharf to North Bourke; and
 - Furniture for public spaces.

Activities across the four year period

- Council organises and/or promotes the following community activities each year; Australia Day, Welcome to Bourke function, Easter Festival, Seniors Week, ANZAC Day, NAIDOC Week, Remembrance Day and Christmas Markets.
- Council has kept the community informed with weekly communication updates to residents, local and regional media outlets through the GM’s Desk.
- Council has continuously met with Local State and Federal Members of Parliament to help support the delivery of services to the community.
- Over the term of the reporting period, Council’s unrestricted current ratio has remained well above the Office of Local Government’s benchmark of 1.5times. It is estimated to sit at 4.74 times. This ratio assesses the adequacy of working capital and its ability to satisfy the obligation short term for unrestricted activities of Council.

Having regard to the above information, the outgoing Council can be justifiably proud of its achievements. Council is in a good financial position, and one only has to look around Bourke to quickly see many of the projects identified herewith and the improvement that they have made to the community.

As is required under Section 428(2) of the *Local Government Act 1993*, the End of Term Report will be included as part of the 2020/2021 Annual Report.

Financial Implications

There are no financial implications arising from this report.

Recommendation

That the End of Term Report 2021 be noted and included as an attachment to the 2020/2021 Annual Report.

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 31 October 2021**

Balances as per Bank Statement	\$668,902.29
Plus: Deposit not shown	\$1,208.74
Less: Unpresented Cheques	\$5,245.97
Balance as per Cash Book	\$664,865.06

Reconciled Ledger Accounts as at 31 October 2021

Fund or Account	Current Balance	Overdraft Statutory Limit
General	\$23,276,406.51	\$200,000.00
Water	\$2,973,059.53	
Sewer	\$2,705,467.75	
Trust	\$112,492.30	
	\$29,067,426.09	

Investments as at 31 October 2021

National Australia Bank	\$1,084,474.56	0.35%	367 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	\$1,102,965.00	0.35%	365 Days	A1+
National Australia Bank	\$806,188.21	0.28%	210 Days	A1+
National Australia Bank	\$2,000,000.00	0.50%	367 Days	A1+
National Australia Bank	\$2,008,219.18	0.35%	365 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	\$3,106,731.89	0.04%	365 Days	A1+
National Australia Bank	\$3,056,586.36	0.34%	305 Days	A1+
National Australia Bank	\$704,706.26	0.04%	360 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	\$5,995,710.28	Flex		
Total Investments	\$28,402,561.03			

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 31 October 2021

Balance as per cash book	\$664,865.06
Investments	\$28,402,561.03
Total, equalling Reconciled Ledger	\$29,067,426.09

Statement of Bank Balances as at 31 October 2021

	Balance	Transaction	Balance
	30 st September 2021		31st October 2021
General Fund	\$26,056,204.65	-\$2,779,798.14	\$23,276,406.51
Water Fund	\$2,965,415.84	\$7,643.69	\$2,973,059.53
Sewer Fund	\$2,640,205.40	\$65,262.35	\$2,705,467.75
Trust Fund	\$112,769.30	-\$277.00	\$112,492.30
Investments	-\$31,394,036.58	\$2,991,475.53	-\$28,402,561.03
Totals	\$380,558.61	\$284,306.45	\$664,865.06

Balance of all Funds as at 31 October 2021

Balance as at 30 September 2021	\$380,558.61
Add Receipts for	
(a) Rates	\$344,283.86
(b) Other Cash	\$1,712,762.60
Deduct payments for	
(a) Payments	\$4,764,215.56
(b) New Investment	-\$2,991,475.55
Balance as at 31 October 2021	\$664,865.06

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 October 2021 be noted.

15.2 * INVESTMENT REPORT AS AT 31 OCTOBER 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 October 2021 is \$28,402,561.03

Investment income earned as at 31 October 2021 is \$62,687.55

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 October 2021

National Australia Bank	\$1,084,474.56	0.35%	367 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	\$1,102,965.00	0.35%	365 Days	A1+
National Australia Bank	\$806,188.21	0.28%	210 Days	A1+
National Australia Bank	\$2,000,000.00	0.50%	367 Days	A1+
National Australia Bank	\$2,008,219.18	0.35%	365 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	\$3,106,731.89	0.32%	240 Days	A1+
National Australia Bank	\$3,056,586.36	0.04%	365 Days	A1+
National Australia Bank	\$704,706.26	0.04%	360 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	\$5,995,710.28	Flex		
Total Investments	\$28,402,561.03			

Term Deposits

Discussions/Comments

The Investment portfolio decreased by \$2,991,475.55 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 October 2021 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted**

15.3 * BUDGET REVIEW TO 30 SEPTEMBER 2021**

File Number: F1.6
Author: Leonie Brown, Manager of Corporate Services
Authoriser: Mark Riley, General Manager
Attachments: 1. Budget Review September 2021 [↓](#) 

Introduction

Clause 203 (1) of the *Local Government (General) Regulation 2005* (the Regulations) requires a Council's Responsible Accounting Officer to prepare and submit a Quarterly Budget Review Statement (QBRs) to the governing body of Council within two (2) months of the end of the quarter. Submitted hereunder is that report:

Background

The Division of Local Government released guidelines on the preparation of QBRs to Council in December 2010 with mandatory reporting in line with the guidelines commencing in July 2011.

The QBRs must show, by reference to the estimated income and expenditure that is set out in the operational plan adopted by Council for the relevant year, a revised estimate of income and expenditure for that year.

The guidelines also require the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates Council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

Current Situation**Issues**

- The QBRs must be prepared by the Responsible Accounting Officer and presented to Council within two (2) months of the end of the quarter.
- The minimum format of the QBRs is governed by the Division of Local Government's Guidelines in December 2010.

Assessment**(a) Legal Implications Including Directives and Guidelines**

Local Government (General) Regulation 2005 (the Regulations) clause 203 requires a Council's Responsible Accounting Officer to prepare and submit a quarterly budget review statement to the governing body of Council within two months of the end of the quarter
Division of Local Government – Quarterly Budget Review Guidelines issued December 2010

(b) Financial Implications/Considerations

Council's original budget was adopted as part of the 2021/2022 Operational Plan on 24 May 2021 and reflected an overall cash based surplus of \$703,310.

(c) Policy Provisions – Council Policy and Practice

Nil

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

Community Strategic Plan

Delivery Program/Operational Plan

Discussion

The QBRS has been prepared for the September 2021 review period and is presented to Council for consideration.

This review has been undertaken in consultation with the General Manager, Managers and other officers where applicable.

Overall Financial Position

The revised consolidated budget result following the September QBRS is estimated to be a Surplus of \$470,613.

At the June Council meeting (Minute 2021/165) and August Council meeting (Minute 2021/242) works not completed in the 2020/2021 financial year were revoted to the 2021/2022 year. The total amount of revote from general revenue is \$394,330 and unexpended loan funds of \$173,933. Council has \$10M of unrestricted funds once internal and external restrictions are accounted for.

In addition, Council at its October 2021 meeting, (Minute 2021/312) resolved as part of the September 2021 Quarterly financial Review. Council allocate additional funds held in its Asset Renewal Reserve totalling \$515,000 towards North Bourke drainage remediation works. These funds have been transferred as part of the review.

The break-up of the funds are detailed in the table below once depreciation has been added back:

Fund	Expenses	Revenues	Depreciation	Operating result
General	(\$81,399,738)	\$76,022,759	\$5,142,537	(234,442)
Water	(\$5,765,126)	\$5,256,440	\$887,700	\$379,014
Sewer	(\$1,176,395)	\$1,193,736	\$308,700	\$326,041
Total	(\$88,341,259)	\$82,472,935	\$6,338,937	\$470,613

The adjustments which have been identified during the Review are summarised below:

Operating and Capital Works Budgets:

Adjustment Description	Budget Impact
Operational Income – increase	885,946
Operational Expenses – increase	(931,145)
Capital Income and Contributions - increase	9,493,179
Capital Expenditure - additional	(9,680,677)
Transfer to/from Reserves	
Net adjustment - Budget	\$(232,697)

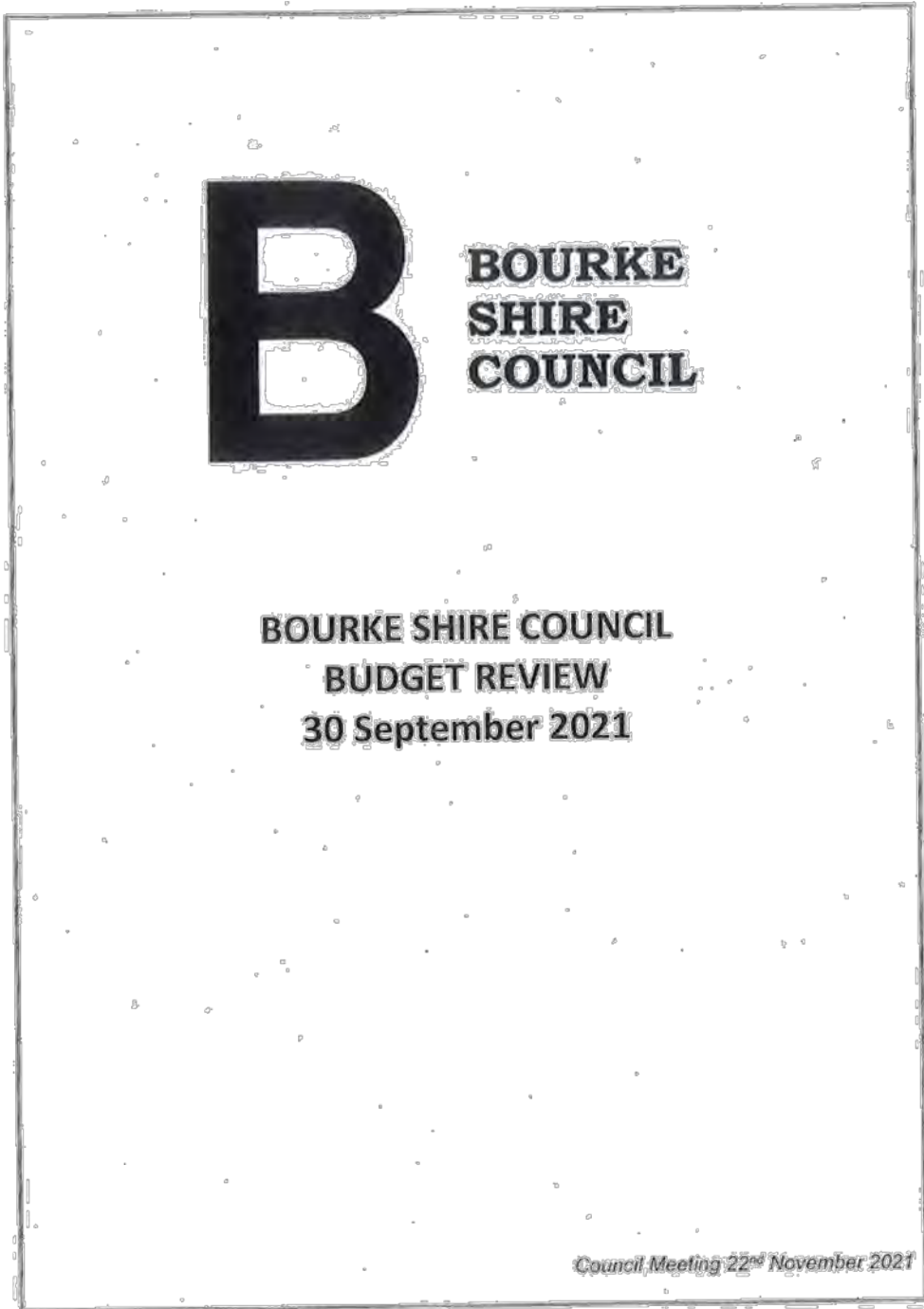
Summary	Budget Impact
Original Budget surplus	703,310
Adjustments from QBRS September 2020	(232,697)
Revised Budget	\$470,613

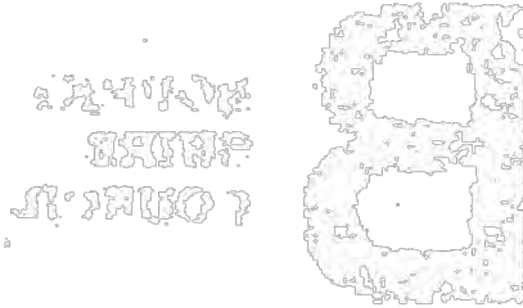
Conclusion

The financial position of Bourke Shire Council as at 30 September 2021 is considered to be satisfactory and is confirmed by the Report from the Responsible Accounting Officer provided under separate cover to Council.

Recommendation

- 1. That the document entitled “Quarterly Budget Review Statement – September 2021” be received and noted**
- 2. That the variations of income and expenditure as identified in the “Quarterly Budget Review Statement – September 2021” be adopted.**





! " # \$ % & ' () * + , - . / : ;
@ A B C D E F G H I J K L M N O P Q R S T U V W X Y Z
[\] ^ _ ` a b c d e f g h i j k l m n o p q r s t u v w x y z

Bourke Shire Council

**Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**

Table of contents:	page
1. Responsible accounting officer's statement	2
2. Income & expenses budget review statements	3-4
3. Capital budget review statement	5-6
4. Cash & investments budget review statement	7-8
5. Key performance indicator (KPI) budget review statement a. Industry KPIs	9-12
6. Contracts & other expenses budget review statement	13-15
7. Additional statements	16

Bourke Shire Council,

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Report by responsible accounting officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

30 September 2021

It is my opinion that the Quarterly Budget Review Statement for Bourke Shire Council for the quarter ended 30/09/21 indicates that Council's projected financial position at 30/6/22 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:

date:

Leenie Brown
Responsible accounting officer

**Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**

Bourke Shire Council

Income & expenses budget review statement

Budget review for the quarter ended 30 September 2021

Income & expenses - Council Consolidated

(\$'000's)	Original budget 2021/22	Approved changes		Revised budget 2021/22	Variations for this Sep Qtr	Notes	Projected year end result	Actual YTD figures
		Carry forward	by QBR\$					
Income:								
Administration	7,451,600			7,451,600	410,360	1	7,861,960	2,987,271
Public order & safety	457,500			457,500	(9,369)	2	448,131	914
Health	164,000			164,000	35,695	3	199,695	38,703
Community services & education	23,000			23,000	20,000	4	43,000	25,364
Housing & community amenities	929,000			929,000	37,662	5	966,662	711,390
Water supplies	2,206,310			2,206,310	58,119	6	2,264,429	1,323,599
Sewer services	1,064,400			1,064,400	41	7	1,064,441	993,179
Recreation & Culture	99,800			99,800	47,725	7	147,525	2,276
Manufacturing & construction	11,500			11,500		8	11,500	639
Transport & communication	8,197,100			8,197,100	267,259	8	8,464,359	2,222,959
Economic affairs	911,000			911,000	18,554	9	929,554	70,251
Total income from continuing operations	21,515,210			21,515,210	885,946		22,401,156	8,076,545
Expenses								
Administration	2,646,520			2,646,520	381,073	10	3,027,593	117,928
Public order & safety	974,184			974,184	(9,369)		964,815	210,250
Health	620,100			620,100	35,695		655,695	123,337
Community services & education	75,100			75,100	20,750		95,850	23,450
Housing & community amenities	2,572,233			2,572,233	37,150		2,609,383	423,864
Water supplies	2,674,300			2,674,300	56,415		2,730,715	368,508
Sewer services	1,042,000			1,042,000			1,042,000	196,566
Recreation & Culture	1,815,400			1,815,400	58,118		1,873,518	403,577
Manufacturing & construction	10,590,300			10,590,300	260,259		10,850,559	2,715,932
Transport & communication	2,224,000			2,224,000	91,154	11	2,315,154	316,856
Total expenses from continuing operations	25,434,137			25,434,137	931,145		26,365,282	4,900,268
Net operating result from continuing operations	(3,918,927)			(3,918,927)	(45,199)		(3,964,126)	3,176,277
Discontinued operations - surplus/(deficit)								
Net operating result from all operations	(3,918,927)			(3,918,927)	(45,199)		(3,964,126)	3,176,277
Net operating result before capital items	(3,918,927)			(3,918,927)	(45,199)		(3,964,126)	3,176,277

This statement is part of Bourke's Quarterly Budget Review Statement (QBR\$) for the quarter ended 30/09/2021 and should be read in conjunction with the full QBR\$ report.

Bourke Shire Council

**Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**

**Income & expenses budget review statement
Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes Details

1	Increase in Financial Assistance Grant offset by Transfer to Reserves \$410,273
2	Transfer from reserves offset by purchase of Twin Compartment Animal Lifter \$24,245 Reduction in grant funds from reserve offset by reduced expenditure amount - \$36,624
3	Increased Noxious Plants income offset by increased expenditure (unspent Grant) \$35,595
4	Community Response grants offset by expenditure \$20,000
5	Unspent grant from reserve offset by expenditure for Planning Portal \$37,150
6	Training & Employment Pilot (unspent Grant) offset by expenditure \$56,415
7	Unspent Grant from reserve offset by expenditure for Crown Lands Management Plan \$47,725
8	Increase in Financial Assistance Grant offset by Transfer to Reserves \$105,179 Unspent grant from reserve offset by expenditure for advanced trees \$25,032 Airport Fees & Rental omitted from original budget \$7,000 Unspent grant from reserve offset by expenditure for Disability Action Plan \$130,048
9	Unspent grant from reserve offset by expenditure for transport support \$18,554
10	Increased Recruitment costs \$30,000
11	Increased Environmental Consulting Costs \$40,000 Increased Back O Bourke Travel \$30,000

Bourke Shire Council

Capital budget review statement

Budget review for the quarter ended 30 September 2021

Capital budget - Council Consolidated

(\$'000's)

- Capital expenditure
- New assets
- Plant & equipment
- Land & buildings
- Other
- Renewal assets (replacement)
- Plant & equipment
- Land & buildings
- Roads, bridges, footpaths
- Water Supplies
- Sewerage Services
- Loan repayments (principal)
- Total capital expenditure
- Capital funding
- Rates & other unified funding
- Capital grants & contributions
- Reserves:
- External restrictions/reserves
- Internal restrictions/reserves
- New loans
- Receipts from sale of assets
- Plant & equipment
- Land & buildings
- Other funding - enter description here
- Other funding - enter description here
- Total capital funding
- Net capital funding - surplus/(deficit)

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

	Original budget 2021/22	Approved changes				Revised budget 2021/22	Variations for this Sep Qtr	Notes	Projected year-end result	Actual YTD figures
		Carry forwards	Other than QBRs	Sep QBRs	Dec QBRs					
11,000,000	11,000,000							11,000,000		
3,103,400	3,103,400					646,919	1	3,750,319	223,977	
18,389,000	18,389,000					1,648,361	2	20,037,361	862,470	
15,711,400	15,711,400					7,142,091	3	22,853,491	3,516,444	
2,758,000	2,758,000					234,011	4	2,992,011	361,591	
120,000	120,000					9,295	4	129,295	8,285	
1,233,500	1,233,500							1,233,500	261,275	
52,295,300	52,295,300					9,680,677		61,975,977	5,235,052	
1,716,700	1,716,700					187,498		1,904,198	398,383	
39,956,600	39,956,600					364,219		40,320,819	2,955,041	
228,000	228,000					133,147		361,147	-	
1,280,000	1,280,000					8,995,813		10,275,813	1,789,396	
9,114,000	9,114,000							9,114,000	92,232	
52,295,300	52,295,300					9,680,677		61,975,977	5,235,052	

This amended Council Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBRs report.

Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Capital budget review statement
Recommended changes to revised budget

Budget variations being recommended include the following material items:

Notes: Details

- 1 Plant & Vehicle purchases from 2020/21 Unspent Loan \$173,933
Light plant purchases revoted from 2020/2021 Budget \$106,330
Unspent Grant for CCTV & Lights from Reserves \$75,797
Unspent Grant for Welcome/Promotional Signs from Reserve \$5,873
Unspent Grant for Solar Lights Wharf to Nth Bourke from reserve \$41,049
Unspent Grants/Contribs for Hobson Mural and Park from reserves \$105,026
Unspent Grant for Wharf Upgrade from reserves \$7,541
Unspent Grant for Youth Bike Track from reserves \$20,548
Unspent Grant for Bourke Kids Space from reserves \$40,822
Document Management System Upgrade \$70,000
- 2 Unspent Grant for Showground upgrade from reserves \$460,017
Unspent Grant for PCYC Kitchen from reserves \$22,605
Unspent Loan for Glen St Residence from reserves \$14,591
Unspent Grant for Local roads & community Infrastructure from reserves \$700,396
Unspent Grant for North Bourke Rejuvenation from reserves \$39,537
Central Park Netball Crts Replace offset from Grant funds \$70,505
Unspent Grant for Mens Shed Relocate from reserves \$25,000
Mitchell Street Development offset from Grant funds \$183,555
Unspent Grant for Shared Pathway from reserves \$3,269
Unspent Grant for North Bourke Granite Pathway from reserves \$77,400
Unspent Grant for Standing Stories Sculptures from reserves \$47,859
Unspent Grant for Railway Scales from reserves \$2,627
- 3 Unspent Grant for Caronga Pk Rd (fixing Country Rds) from reserves \$6,075,299
Unspent Grant for Roads to Recover from reserves \$956,826
Unspent Grant for Growing Bourke Design/Construct Signs from reserves \$106,666
- 4 Treatment Plant Upgrade offset from Grant Funds \$100,864
Becker Street Pump Upgrade offset from Reserves \$75,000
Unspent Grant for Drought Scheme Bore DWS048 from reserves \$58,147
- 5 Oxidation Ponds Upgrade offset from Grant Funds \$9,295

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Bourke Shire Council

Cash & investments budget review statement

Budget review for the quarter ended 30 September 2021
Cash & investments - make a choice >>>

	Original budget 2021/22	Approved changes			Revised budget 2021/22	Variations for this Sep Qtr	Projected year-end result	Actual YTD figures
		Carry forwards	Other than QERS	Mar QERS				
(\$000's)								
Externally restricted (1)								
Specific Purpose unexp Grants General Fund	9,324,000			9,324,000		9,324,000		
Specific Purpose unexp Grants Water Fund	303,000			(303,000)		303,000		
Water Fund	3,715,000							
Sewerage Fund	2,480,000							
Domestic Waste Management	53,000							
Total externally restricted	15,855,000			9,627,000		9,627,000		
(2) Funds that must be spent for a specific purpose								
Internally restricted (2)								
Employee Leave Entitlement	600,000			(600,000)		600,000		
Deposits Retentions & Bonds	5,000			5,000		5,000		
Prepaid Financial Assistance Grant	3,325,000			3,325,000		3,325,000		
Total internally restricted	3,930,000			3,930,000		3,930,000		
(2) Funds that Council has earmarked for a specific purpose								
Unrestricted (ie. available after the above Restrict)	10,374,000			10,374,000		10,374,000		
Total Cash & investments	30,159,000			30,159,000		30,159,000		380,558

This statement forms part of Council's Quarterly Budget Review Statement (QERS) for the quarter ended 30/09/21 and should be read in conjunction with the total QERS report

Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Cash & investments budget review statement

Comment on cash & investments position

Not applicable

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$380,558.

This Cash at Bank amount has been reconciled to Council's physical Bank Statements. The date of completion of this bank reconciliation is 30th September 2021.

OR

The Cash at Bank figure included in the Cash & Investment Statement totals \$380,558.

The date of the last completed bank reconciliation is 30th September 2021.

Reconciliation status

The YTD cash & investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at bank (as per bank statements)		380,959
Investments on hand		
less: unpresented cheques	(Timing Difference)	(2,842)
add: undeposited funds	(Timing Difference)	2,441
less: identified deposits (not yet accounted in ledger)	(Require Actioning)	
add: identified outflows (not yet accounted in ledger)	(Require Actioning)	
less: unidentified deposits (not yet actioned)	(Require Investigation)	
add: unidentified outflows (not yet actioned)	(Require Investigation)	
Reconciled cash at bank & investments		380,558
Balance as per QBRs review statement:		380,558
Difference:		

Recommended changes to revised budget

Budget variations being recommended include the following material items:

Notes **Details**

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

(\$000's)	Current projection Amounts Indicator 21/22	Original budget 21/22	Actuals prior periods 20/21	19/20
1. Operating performance				
Operating revenue (excl. capital) - operating expenses	3954126	18.2 %	4.7 %	1.8 %
Operating revenue (excl. capital grants & contributions)	22401156	17.7 %		

NSW local government industry key performance indicators (OLG):

1. Operating performance	
Operating revenue (excl. capital) - operating expenses	4.7 %
Operating revenue (excl. capital grants & contributions)	1.8 %

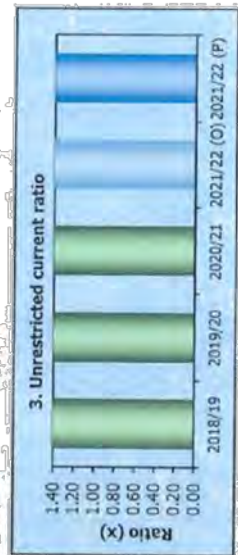
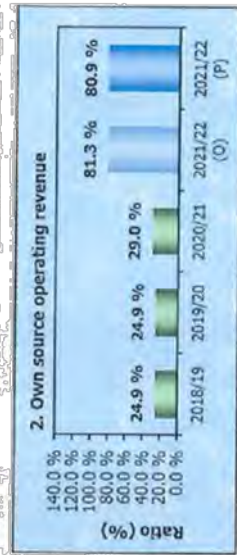
This ratio measures Council's achievement of containing operating expenditure within operating revenue.

2. Own source operating revenue	
Operating revenue (excl. ALL grants & contributions)	29.0 %
Total Operating revenue (incl. capital grants & cont)	24.9 %

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.

3. Unrestricted current ratio	
Current assets less all external restrictions	4.74
Current liabilities less specific purpose liabilities	5.10

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.



Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

(\$000's)	Current projection Amounts Indicator 21/22	Original budget 21/22	Actuals prior periods 20/21	19/20
	1,311	1,84	6.66	5.41

NSW local government industry key performance indicators (OLG)

4. Debt service cover ratio	2551911	1.84	6.66	5.41
Operating result before interest & dep. exp (EBITDA)	1410300			
Principal repayments + borrowing interest costs				

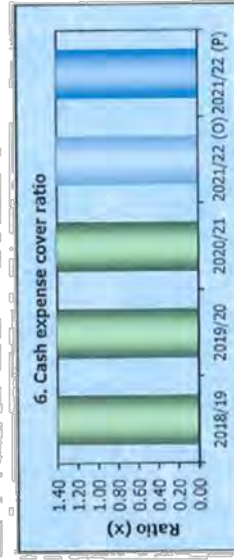
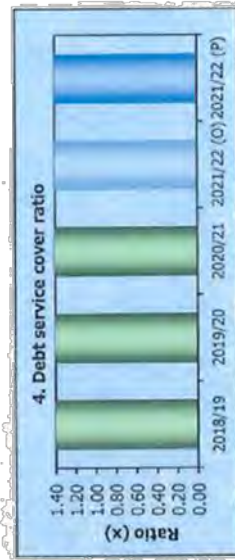
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

5. Rates, annual charges, interest & extra charges outstanding	853	16.7 %	16.7 %	16.9 %
Rates, annual & extra charges outstanding	5102			
Rates, annual & extra charges collectible				

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

6. Cash expense cover ratio	30159	17.91	17.91	13.19
Current year's cash & cash equivalents (incl. term deposits)	1684			
Operating & financing activities cash flow payments				

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.



Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

(\$'000's)	Current projection Amounts/ Indicator 21/22	Original budget 21/22	Actuals prior periods 20/21	19/20
------------	---	-----------------------	-----------------------------	-------

NSW Local Government Infrastructure Asset Performance Indicators (OLG)

7. Building and infrastructure renewals ratio	39931027	629.9 %	324.2 %	247.5 %	166.7 %
Asset renewals (building, infrastructure & other structures)	6338937				
Depreciation, amortisation & impairment					

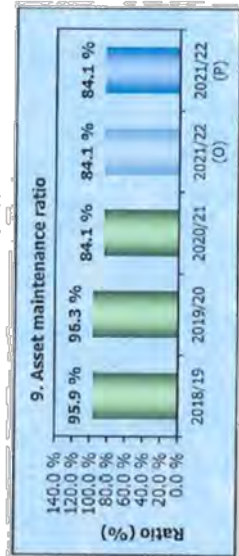
To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.

8. Infrastructure backlog ratio	3882	1.3 %	1.3 %	1.3 %	1.7 %
Estimated cost to bring assets to a satisfactory condition	298406				
Total value of infrastructure, building, other structures & depreciable land improvement assets					

This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.

9. Asset maintenance ratio	4928	84.1 %	84.1 %	84.1 %	96.3 %
Actual asset maintenance	5862				
Required asset maintenance					

Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure Backlog growing.



Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

	Current projection Amounts Indicator 21/22	Original budget 21/22	Actuals prior periods 20/21	19/20
10. Cost to bring assets to agreed service level	3882	1.0 %	1.0 %	1.2 %
Estimated cost to bring assets to an agreed service level set by council	389968			
Gross replacement cost				

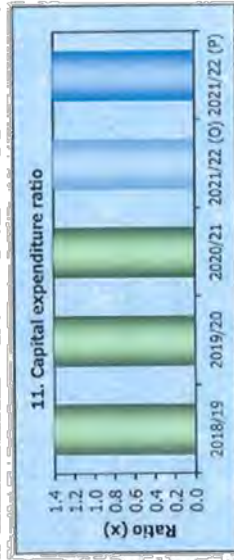
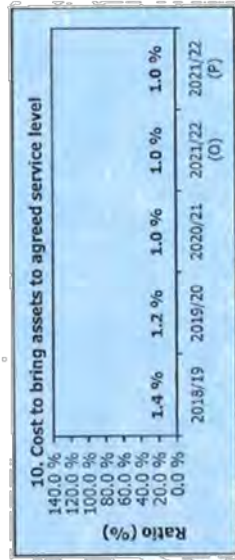
NSW Local Government Infrastructure Asset Performance Indicators (OLG):

10. Cost to bring assets to agreed service level
Estimated cost to bring assets to an agreed service level set by council
Gross replacement cost

This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.

11. Capital expenditure ratio
Annual capital expenditure
Annual depreciation

To assess the extent to which a Council is expanding its asset base thru capital expenditure on both new assets and the replacement and renewal of existing assets.



Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Contracts budget review statement

Budget review for the quarter ended 30 September 2021

Part A - Contracts listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start date	Duration of contract	Budgeted (Y/N)	Notes
Tracserv Trucks	Supply Isuzu FX2240-350 LWD Auto Truck	255,519	31/07/21	3 Mths	Y	
Tracserv Trucks	Supply Isuzu NPS75-155 Crew Cab	67,008	31/07/21	3 Mths	Y	
Tracserv Trucks	Supply Isuzu FDV 165-300 Auto Truck	340,561	31/07/21	3 Mths	Y	
JAC Pumps	Supply Sewer Pumping Station	79,383	31/07/21	6 Mths	Y	
Hutcheon & Pearce Operations	Supply 2 X John Deere 6125M Tractors	165,727	31/08/21	6 Mths	Y	
Earthmoving Australia	Supply Case SR42B Skid Steer Loader	59,650	31/08/21	6 Mths	Y	
Rosmech Sales & Service	Supply Scarab Mistral on Hino FE1426 Truck	243,130	03/09/21	6 Mths	Y	
Tracserv Trucks	Supply Isuzu FSR 140-260 LWB Truck	188,595	31/08/21	6 Mths	Y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

This statement forms part of Council's Quarterly Budget Review Statement (QBR) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBR report.

Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Contracts budget review statement
Comments & explanations relating to contractors listing

Notes Details



Bourke Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Consultancy & legal expenses budget review statement

Consultancy & legal expenses overview

Expense	YTD expenditure (actual dollars)	Budgeted (Y/N)
Consultancies	97,504	Y
Legal Fees	12,727	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments:

Expenditure included in the above YTD figure but not budgeted includes:

Details:

15.4 * COMMUNITY CONSULTATION MEETINGS IN RELATION TO THE COMMUNITY STRATEGIC PLAN - TIMETABLES AND FORMAT**

File Number: P4.4
Author: Leonie Brown, Manager of Corporate Services
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Under the Integrated Planning and Reporting Framework Council is required to prepare a series of documents which will provide guidance to the ongoing operation of for Councils and at the same time assist in stating the strategic direction of Council.

The Development of a Community Strategic Plan to some degree underpins the operation of the Integrated Planning and Reporting framework.

Under section 402(3) of the *Local Government Act 1993*, following an ordinary election of Councillors, the Council must review the community strategic plan before June 30 following the election. The Council may endorse the existing plan or endorse amendments to the existing plan or develop and endorse a new community strategic plan, as appropriate to ensure that the area has a community strategic plan covering at least the next 10 years. The Draft Engagement Strategy advertised after the October Council meeting has not received any comments from the community.

Similarly, Council is required to review its delivery plan for the next four (4) years.

Current Situation

As Council staff will commence the preliminary work on the development of its budget in the early part of 2022 it is important that the review of the community strategic plan takes place as soon as possible and well before the due date of 30 June 2022.

It is proposed to start the process by conducting consultation meetings in each of the villages and towns within the Shire in January 2022 and these meetings will be supplemented by other meetings targeting different groups within the shire early next year, these will include, aged, children’s services, youth services and disability services. It is also proposed to engage with representatives of the State Government agencies

The proposed timetable for the community consultation meetings is as follows: -

Village	Day and Date	Time
Enngonia	Monday 17 January 2022	8.30am
Fords Bridge	Monday 17 January 2022	12pm
Louth	Tuesday, 18 January 2022	8.30am
Wanaaring	Tuesday, 18 January 2022	1pm
Byrock	Wednesday, 19 January 2022	12.30pm
Bourke	Wednesday, 19 January 2022	5.30pm

It is important to note that these meetings will be facilitated meeting to try and draw from the community their strategic objectives and requests for our shire wide community.

The meetings are not intended to be a review of what we have done or not done but looking at the requirements of the community going forward.

It is also important to note that the Community Strategic Plan is not limited to the services provided by Council but can include services provided by State and Federal Government Agencies and other providers. Council can act as an advocate for the community in relation to these issues

There will be time at the end of each of the meetings for the community to raise issues relating to current concerns.

Financial Implications

There will be costs incurred for travelling and catering, but these have been provided for in the Operational Plan (Budget).

I would like to think that the costs involved in the conduct of the Strategic Community Plan Consultation meetings would be seen as an investment in the future rather than an expense. It is important we are pro-active in addressing the community concerns and not re-active. The concept of the CSP, Delivery Plan, Long Term Financial Plan and Workplace Plan is an attempt to ensure that Councils do in fact remain pro-active.

Recommendation

- 1. That Council note the report regarding the legislative requirement to update the Community Strategic Plan**
- 2. That Council note the proposed timetable for the Consultative Meetings in the town and villages.**
- 3. That Council continue with its ongoing consultation with community groups to obtain broad and comprehensive input into the Community Strategic Plan.**

16 ECONOMIC DEVELOPMENT 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 14 October 2021 to 10th November 2021 inclusive.

Road Works - Phillip Cross – Roads Supervisor	
1. NORTH SECTOR – Denis Tiffen, Team Leader	
Location	Work Carried Out
RLR 41 Weir Road	Bitumen construction completed
RLR 16 River Road	Bitumen construction commenced
RLR 47 Polygonum Road	Bitumen construction commenced
RLR 21 Bullamunta Road	Maintenance grade completed
2. SOUTH SECTOR - John Reed, Team Leader	
Location	Work Carried Out
MR 405 Wanaaring Road	Heavy patching completed
Town Streets	Heavy patching commenced
Bike track North Bourke	Bitumen construction commenced
State Highway 7 South	Shoulder widening commenced
MR 68 Louth Road	Bridge approach completed
RLR 8 Wilgareena	Maintenance grade completed
RLR 7 Mulgaroon	Maintenance grade commenced
MR 68 Bourke Louth	Maintenance grade commenced
RLR 13 Landsdown	Maintenance grade commenced
RLR 14 Avondale	Maintenance grade completed
3. TRANSPORT SECTOR - Simon Wielinga, Team Leader	
State Highway 7 South	Shoulder widening commenced
RLR 47 Polygonum Road	Bitumen construction completed
RLR 41 Weir Road	Bitumen construction completed
RLR 16 River Road	Bitumen construction commenced
4 BITUMEN SECTOR - John Bartley, Team Leader	
Bourke Township	Patching undertaken/ Heavy patching
Regional Roads	Patching undertaken/Heavy patching
State Highways	Patching undertaken

WORKSHOP – Colin Kiley, Team Leader, Tradesman Plant Mechanic			
Plant no	Rego	Description	Work Carried Out
32	BM39KN	2011 NPR 400	Registration Check and repair
37	AJ01DM	Isuzu 500 Long	Registration check and repair
40	CP40FZ	Isuzu NHNQR	Registration check and repair
44	YII29T	Mazda BT 50	Service carried out
46	BX92HR	2013 Hino FC 500	Registration check and repair
49	CL84LV	Hino Tipper	Registration check and repairs
50	CL16AC	Kenworth	Service carried out, removed, and replaced cab, engine and radiator mounts, height control valves brake booster, adjust brakes
57	CC20UJ	2015 Hino	Service carried out, diagnose lack of pressure in pressure cleaner, found faulty hydraulic pump, remove and replace pumps, remove and replace taillights, remove and replace broom
59	Z 37484	Trans-tech Quad axle	Repair wiring and replace lights, replace rocker box bushes, adjust brakes, registration repairs, repair wiring for flashing light
65	BG97LI	2010 John Deere	Diagnose problem with the brakes, found faulty pipe, refit, and fill with brake fluid, repair hydraulic leak and pto
66	CI37TV	Caterpillar-Backhoe	Motor shutting off, diagnose problem, found faulty ecu download new software, remove, and replace bucket self-levelling kit
68	X50802	2011 Moore	Repair and adjust tarp, repair, and replace lights and mudflaps, registration check and repairs
69	X50803	2011 Moore	Registration check and repairs, Repair tarp and adjust, repair and replace lights and mud flaps,
77	AY40UT	2008 Case	Service carried out, removed, and replace hydraulic hoses, seat broken, removed seat disassemble, weld broken brackets and reassemble, diagnose faulty air conditioner, found broken compressor remove and replace compressor and gas
92	NX29QQ	2014 Western Star	Service carried out, remove and replace cracked diff housing, remove and replace all drive axle bearings, seals and brakes, adjust bearings and brakes, remove and replace rear springs and diff mounts, repair rear wiring on lights, remove and replace pto, hydraulic pump and air over hydraulic control valve, repair driving light wiring, adjust turn table, replace flashing light, replace 4 drive tyres, registration check and repairs
97	YUB437	2003 Isuzu 900 F3 FTR	Repair lights and remove engine mounts
106	63722D	Toro Mower	Repair roof, remove and replace deck wheels, repair steering
108	63723D	Toro Mower	Remove and replace blades and deck wheels

111	TB60BR	Dolly	Remove and replace tow eye, repair wiring and air leaks, repair cracks in frame, replace mudflaps, adjust brakes
112	Y73255	Fuel Trailer	Service carried out
114	N 37716	Freightliner	Adjust brakes and repair lights, weld mud guards, registration check and repairs
116	P 17060	Safety Trailer	Registration check and repair, remove and replace door hinges and locks
118	M 73815	2000 Holland	Repair lights and air leaks, registration check and repairs
119	M 7381	2000 Holland	Adjust brakes and repair lights, weld mud guards
122	YKY51H	2021 Mazda CX 5	Service carried out
125	YIO28X	Mazda BT 50	Service carried out
132	CP22CH	John Deere	Service carried out, remove and replace faulty park brake solenoid and repair wiring harness
134	94196 D	2019 John Deere 770G	Service carried out
139	BR52WH	Caterpillar 950H	Service carried out, remove and replace air compressor and repair wiring, remove and replace ware pads and repair cracks on bucket, remove and replace front cutting edge and corner ware pads, order parts top repair burnt air cleaner, remove all damage parts, clean engine and reassemble with new parts
141	XN84BW	John Deere Grader	Service carried out
149	TC61FS	Moore tri axle tipper	Repair and weld cross bar
150	BV55RE	2013 Caterpillar 12M	Repair coolant leak, brass coolant pipe and pressure test
174	YKY51P	2020 Mazda BT 50	Service carried out
178	CO73PY	Isuzu	Repair air conditioning line evacuate and gas system, carry out service and registration check and repairs
188		John Deere 670G	Service carried out
197	YII01C	2017 Mazda BT 50	Service carried out, repair plate mounts, order air bags
218	BR67WH	2012 Hino	Repair and adjust brakes, repair clean adjust wiring and sensors on bin lift arm, dismantle bin grab and fully rebuild replace all pins, bushes and shims
232	N92511	1990 Homemade Fuel Trailer	Adjust brakes and repair lights, weld mud guards
238	TB84BR	2016 Moore Tri axle tanker	Replace clearance light and adjust brakes, registration check and repairs
239	TB85BR	2016 Moore Tri axle tanker	Registration check and repairs, Replace damage clearance lights and adjust brakes
260		2019 Mazda BT 50	Service carried out
265	XN36KU	Isuzu NQR 450	Service carried out
300	CR59EV	Mitsubishi Triton	Service carried out

310	BY01TB	2014 Caterpillar	Service carried out, remove and replace hydraulic hoses, clean inside and out, replace handle control leavers
330	CZ11HU	Ford Ranger	Service carried out
404	XN30QQ	2010 Isuzu 500 short FRR	Service carried out, registration check and repairs
405	V201058	2008 Jetting SECA	Repair hose
410	CS64ZN	Holden Colorado 7	Service carried out
505	XN17EH	Kenworth	Service carried out, registration check and repairs, diagnose problem with air conditioner not working, found faulty wiring and high pressure switch R & R switch, diagnose and repair ad-blue fault
506	XN65HG	Kenworth	Service carried out, registration check and repairs, diagnose after treatment light found faulty sensor, remove and replace sensor and recalibrate, repair wiring on wipers
510	73228D	Smooth Drum Roller	Diagnose fault with air conditioner, found wires rubbed earthing out on frame, repair wire and test, carryout full service, adjust tappets, replace position switch
512	73235D	Multi Tyre Roller	Service carried out, clean roller and repair oil leak
520	YN03BI	Moore's Trailers	Replace clearance lights and reflector, tighten rocker box and torque bushes, registration check and repairs
521	YN04BI	Moore's Trailers	Replace clearance lights and reflectors
522	YN05BI	Moore's Trailers	Replace clearance lights and reflectors
		Jandra Paddleboat	Service carried out on both Jandra motors, repair leaking fuel line
		Renshaw Complex	Repair and straighten gates and repair lights on horse gates
		Small Plant	Service carried out on a number of plant, repairs and blade replacement
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 22Nd November 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 11th October 2021 to 4th November 2021 inclusive.

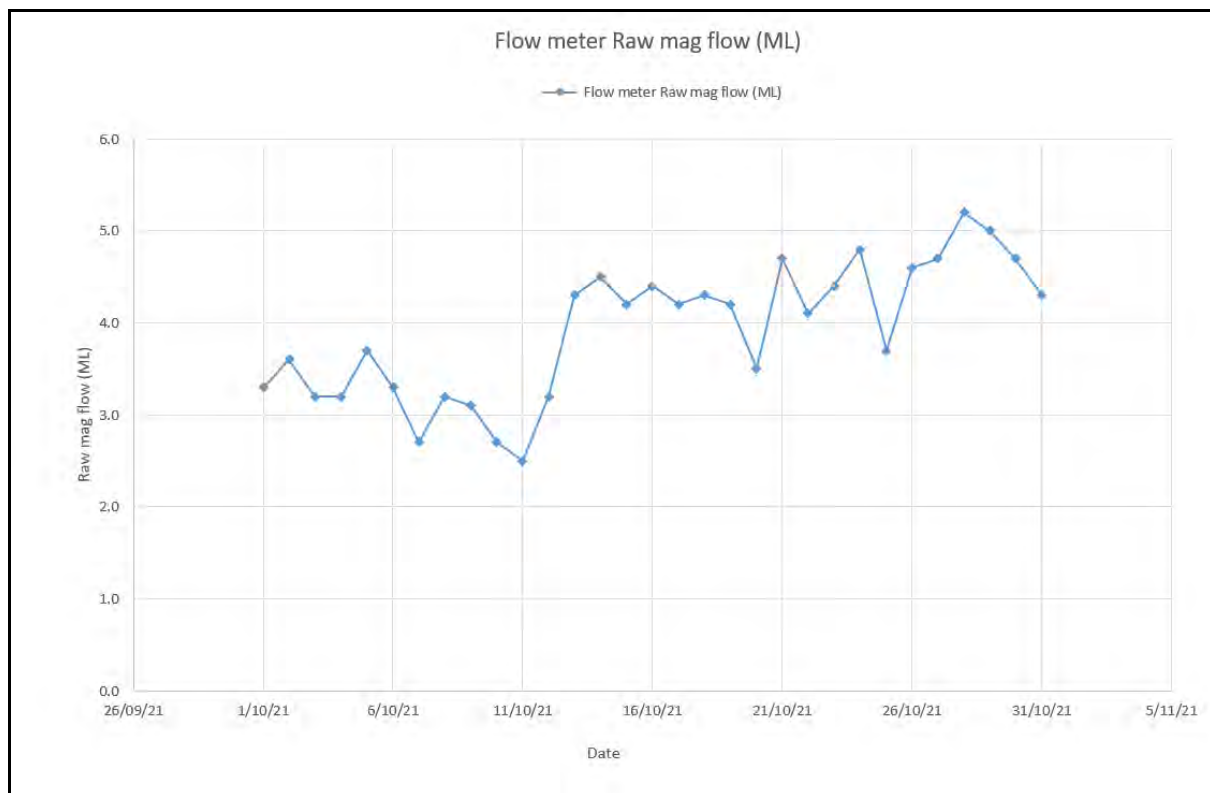
Current Situation

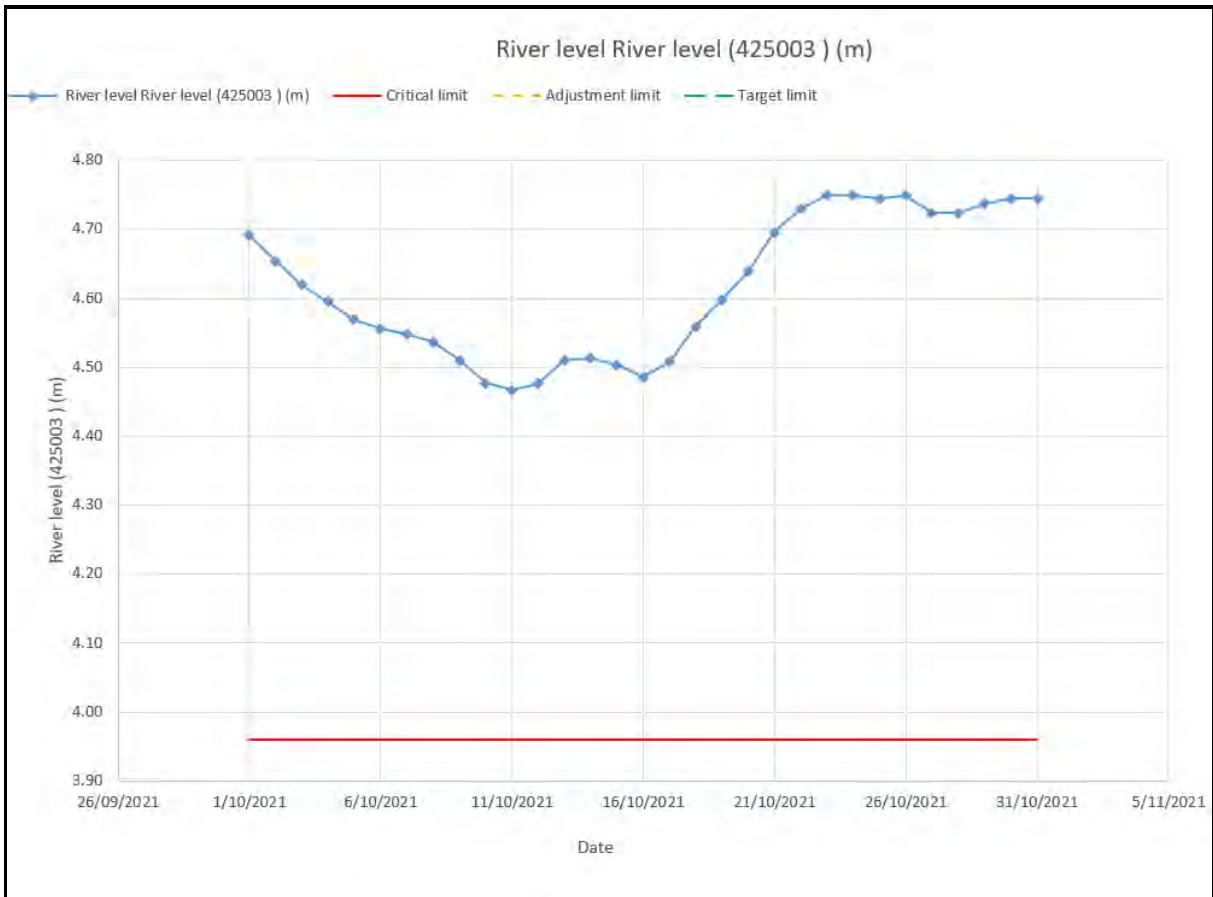
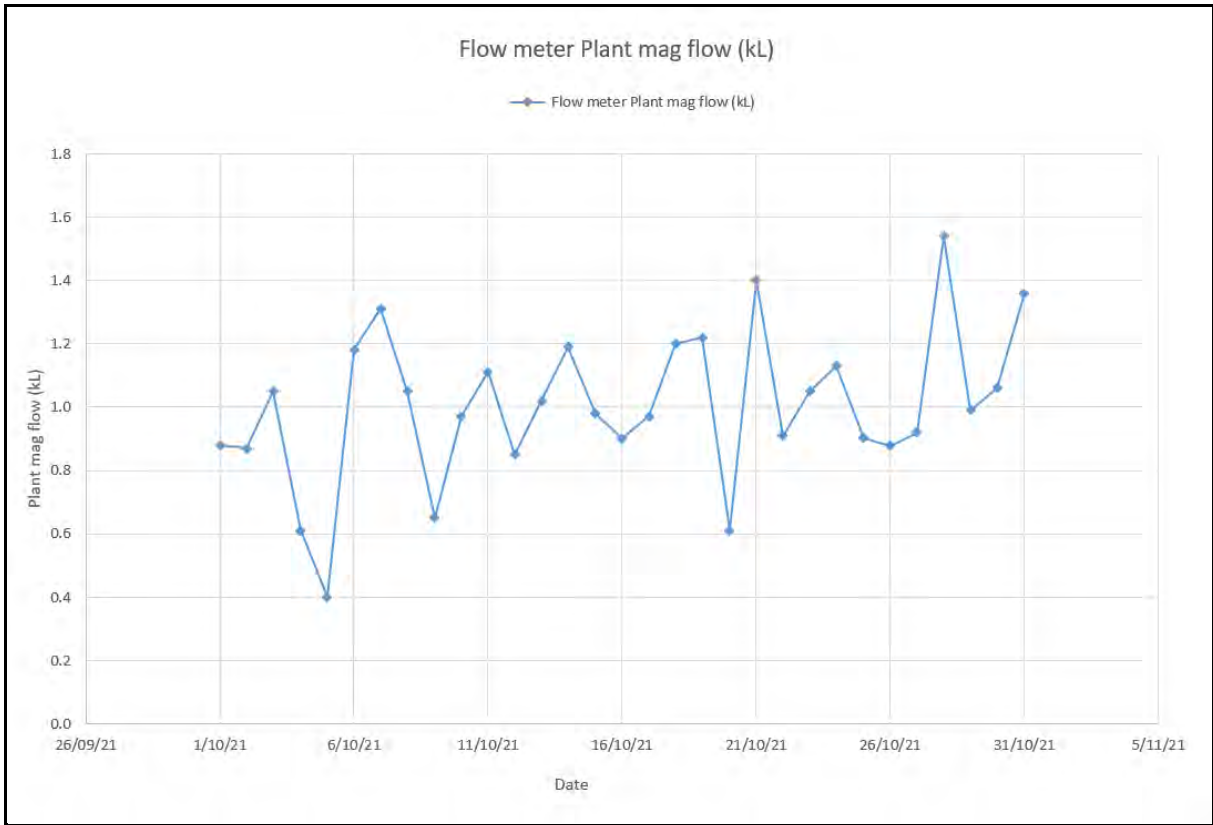
PARKS & GARDENS – Terry Rankmore, Team Leader	
Location	Work Carried Out
General	All parks & sporting grounds gardens, regular mowing & maintenance carried out. Sporting grounds facilities cleaned & maintained. Public toilets cleaned & maintained. Clean facilities. General graffiti removal carried out 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. Prepare grounds for Junior and Senior Cricket.
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
	Town Slashing
	Town Poisoning
	Monthly airport inspections Louth & Wanaaring
Cemetery	Prepared graves:- Graves
Rest Areas	Weekly rubbish removal & cleaning along road side and pressure clean 65km Cobar road new toilets
	Mow rest areas
Staff Training	Nil
	Remove tree behind men’s shed
	Town mowing
	Remove old cannon from Diggers on the Darling and store at depot
	Fix bearings on slasher
	Whipper snip highways through town
	Remove abandon vehicle from Cullie Street
	Gravel hole in Wortumertie Street
	Gravel hole on roads edge in Anson Street
	Prune trees along laneway for garbage truck
	Crusher dust showground
	Remove bollards along cycle way North Bourke
	Set up signs for tree removal in Tarcoon Street
	Remove rubbish from library
	Replace give way sign on corner of Tudor & Wilson Street
	Prune tree in Darling Street across from Doctors Surgery
	Remove trees from Walters Park
	Prune trees next to Pub for Police
	Cold mix driveway behind Betta
	Grader to grade V drain in laneway on Mitchell and Oxley Streets
	Crusher dust delivered to wharf
	Pressure clean cricket pitch at Davidson Oval
Removal of branches around town	
Remove rubbish from Back O Bourke Centre	

1 Water & Wastewater – Shane Hopley, Team Leader	
2 Water Supply Planned Maintenance for	
3 59 Mertin Street	4 Sewer Choke
5 4 Bloxham Street	6 Sewer Choke
7 12 Darling Street	8 Sewer Choke
9 5 Darling Street	10 Sewer Choke
11 58 Oxley Street	12 Sewer Choke
13 3 Culgoa Street	14 Sewer Choke
15 139 Meadows Road	16 Sewer Choke
17 103 Oxley Street	18 Sewer Choke
19 8 Becker Street	20 Sewer Choke
21 72 Darling Street	22 Sewer Choke
23 Warraweena Street	24 Sewer Choke
25 Wharf Toilet	26 Sewer Choke
27 3 Mitchell Street	28 Sewer Choke (internal)
29 59 Mertin Street	30 Sewer Choke –dug sewer main and cleared choke
31 59 Darling Street	32 Repair leaking 20mm filtered water service
33 85 Mertin Street	34 Repair leaking 20mm filtered water service
35 1 Short Street	36 Repair leaking 20mm filtered water service
37 4 Meek Street	38 Dug 50mm filtered water main and repaired main
39 8 Adelaide Street	40 Dug 50mm filtered water main and repaired main
41 18 Oxley Street	42 Dug 150mm filtered water main and repair main
43 Bourke High School	44 Repair filtered main
45 78 Oxley Street	46 Dug 100mm raw water main and repair main
47 45 Mooculta Street	48 Dug 100mm raw water main and repair main
49 32 Richard Street	50 Dug 100mm raw water main and repair main
51 88 Darling Street	52 Dug 100mm raw water main and repair main
53 Sale Yards	54 Dug 100mm raw water main and repair main
55 Anson Street	56 Dug 100mm raw water main and repair main 57 Repair sprinklers
58 Rotary Park	59 Check filter
60 Central Park	61 Repair sprinklers
62 WTP	63 Install sprinklers
64 Renshaw Complex	65 Adjust sprinklers
66 Davidson Oval	67 Repair sprinklers
68 46 Wortumertie Street	69 Clean up
70 Warrego Street, North Bourke	71 Clean out drain

72	Golf Club	73	Dug drain at club house
74	69 Oxley Street	75	Blow out raw service
76	Port of Bourke	77	Leak (internal)
78	VRA Shed	79	Replace raw and filtered water lines
80	Pool	81	Calibrate dosing equipment
82	Becker Street STP	83	Reconnection inspection
84	STP	85	Spray Weeds
86	Waste Depot	87	Connect water to hot wash
88	Byrock	89	No water at old shop
90	Wanaaring	91	Reconnect water service
		92	Repair water main
		93	Repair water to air conditioner at hall
94	Back O Bourke Centre	95	Cap off drain
96	Sewer	97	Weekly COVID-19 sewer sample
		98	Monthly sewer samples
		99	Install repeaters
		100	Retic water samples
		101	Patch hole in Charles Street water tower
		102	SPS inspection and M and R
103	Alice Edwards Village	104	Routine maintenance & monitoring as per ACP Management Plan
105	Clara Hart Village	106	Routine maintenance & monitoring as per ACP Management Plan
107	Training	108	Nil





Month	Raw water ML	Filter magflow pump 2 ML	Raw Water North Bourke KL	Filter Water North Bourke KL
January 2021	134	43	31,255	2,013
February 2021	94	39	30,110	2,145
March 2021	96	38	29,332	2,130
April 2021	99	36	11,607	1,717
May 2021	102	38	12,676	1,808
June 2021	74	34	8,484	1,735
July 2021	75	33	9,856	1,788
August 2021	98	27	16,310	1,542
September 2021	107	29	19,235	1,325
October 2021	122	30	20,314	1,255

Process	Parameter	Minimum	Average	Maximum	Lower critical lim	Upper critical lim	No. of samples
Rainfall	Rainfall	-	0.26	6.00			31
River level	River level (425003)	4.47	4.62	4.75	3.9		31
Raw Water	pH	7.29	7.48	7.74			31
Raw Water	turbidity	156.00	253.71	577.00			31
Filtered water	pH	7.00	7.24	7.90	6.5	8.7	31
Clarifier	Turbidity	0.44	1.34	2.12	0.0	4.0	31
Tower	Free Cl2	1.58	2.35	3.63	0.2	5.0	31
Filtered water	Turbidity	0.13	0.17	0.20	0.0	1.2	31
Bourke High School	Free chlorine	1.00	1.40	2.10	0.2	4.0	3
Bourke High School	pH	7.10	7.20	7.30	6.5	8.5	3
Bourke High School	Turbidity	0.15	0.18	0.20	0.0	0.5	3
WTP	Free chlorine	2.30	2.30	2.30	0.2	4.0	1
WTP	pH	7.30	7.30	7.30	6.5	8.5	1
WTP	Turbidity	0.15	0.15	0.15	0.0	0.5	1
Bourke Primary Sch	Free chlorine	1.00	1.00	1.00	0.2	4.0	1
Bourke Primary Sch	pH	7.40	7.40	7.40	6.5	8.5	1
Bourke Primary Sch	Turbidity	0.19	0.19	0.19	0.0	0.5	1
Meadows Rd	Free chlorine	1.30	1.30	1.30	0.2	4.0	1
Meadows Rd	pH	7.30	7.30	7.30	6.5	8.5	1
Meadows Rd	Turbidity	0.15	0.15	0.15	0.0	0.5	1
Mitchell St	Free chlorine	1.00	1.00	1.00	0.2	4.0	1
Mitchell St	pH	8.10	8.10	8.10	6.5	8.5	1
Mitchell St	Turbidity	0.30	0.30	0.30	0.0	0.5	1
Alice Edwards Villa	Free chlorine	0.50	0.50	0.50	0.2	4.0	1
Alice Edwards Villa	pH	7.30	7.30	7.30	6.5	8.5	1
Alice Edwards Villa	Turbidity	0.40	0.40	0.40	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

Treatment Plant EPA Licence Compliance

Record of Effluent Analysis

Pollutant	Unit Of Measure	Licence 100 Percentile Concentration Limit	Aug 2021 TEST	Sept 2021 TEST	Oct 2021 TEST	Nov 2021 TEST	Dec 2021 TEST
Oil & Grease	mg/L	10	2	<2	<2		
pH		6.5-8.5	8.47	9.63	9.06		
Nitrogen (total)	mg/L	15	16.8	71	4.6		
Phosphorus (total)	mg/L	10	3.68	2.85	3.11		
Total suspended solids	mg/L	20	112	60	40		
Biochemical oxygen demand	mg/L	15	29	21	41		

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 October 2021 was 5.8mm
- Hottest day for October 2021 was 28.6 degrees
- Coldest day for October 2021 was 13.4 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, 22nd November 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
Nil			

Total value of Approved works for October 2021	= \$ 0
No. of Development Application Approvals for October 2021	= 0
No. of Complying Development Application Approvals for October 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	5	0
Seized	3	1
Surrendered	4	0
Handed in by members of the public	0	0
Total	12	1
Euthanised	2	0
Returned to Owner	0	0
Released from Pound	3	0
Re-housed	7	1
Died in Pound	0	0
Escaped from Pound	0	0
Animals Remaining at End of Month	0	0
Total	12	1
Stock Rested in Stock Yards	114	

- ☐ 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

Swimming Pool Attendance for October 2021	
Adults	166
Children (2+)	26
Children (<2)	0
Pensioners	0
School Groups	0
Total for Month	192

Recommendation

That the information in the Environmental Services Activity Report as presented to Council on Monday, 22 November 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**28 October 2021****Council Elections**

Nominations for candidates who wish to contest the election to become a Councillor on Bourke Shire Council are now open. With local government elections being held across the State on 4 December 2021, time is running out to nominate with candidate nominations closing at 12noon on Wednesday 3 November 2021.

The Stand for your Community Candidate Guide contains a range of information on becoming and being a councillor and can be accessed from the Office of Local Government website:

<https://www.olg.nsw.gov.au/public/about-councils/become-a-councillor/information-for-candidates/>

The NSW Electoral Commission will be overseeing the election for Bourke Shire. As part of this role, they also oversee funding and disclosure requirements for candidates. To assist a range of information and fact sheets are available on the website for candidates and groups at the 2021 NSW Local Government elections covering the provisions of the Electoral Funding Act:

<https://www.elections.nsw.gov.au/Funding-and-disclosure>

By the way, and just as a reminder for the community, voting at the election is compulsory.

Integrated Vaccination Certificates

It's now possible for Bourke residents who are double vaccinated to integrate their COVID-19 digital vaccination certificate into their Service NSW app. The integration of the vaccine certificate with the app is designed to make things easier following the easing of restrictions as a result of NSW having achieved the 80 per cent double vaccination rate.

When someone visits a venue in town that requires them to be double vaccinated to gain entry, residents can show their green check-in tick and vaccination status simultaneously, saving staff and customers time.

As vaccine data sits in the Federal Australian Immunisation Register, to integrate the COVID-19 digital certificate into the Service NSW app you will need to:

- Ensure your Federal MyGov account is linked to Medicare
- Download the Express Plus Medicare app and sign in with your MyGov account details

- Select 'Proof of vaccinations' and then 'View history'
- Select 'Share with check in app' and then 'Service NSW'.

Prior to the integration option, there were already three ways to demonstrate the vaccine certificate. People could use the Express Plus Medicare app or the digital wallet on their phone. For those without a smartphone, they can print a vaccination certificate from their Medicare account or contact Services Australia for a paper certificate in order to prove their vaccination status.

The Service NSW app includes a number of security measures to help compliance officers and businesses with checking and validating a customer's vaccination status, including a NSW Waratah logo hologram and rotating QR codes, similar to the Digital Driver Licence.

2022 Regional Youth Taskforce

The Regional NSW Youth Taskforce is a Ministerial advisory group that advises the Minister for Regional Youth on issues that affect young people living in regional NSW. The Taskforce provides young people from all corners of rural and regional NSW with a unique opportunity to meet with government and inform decision making that will have flow-on benefits for their peers, communities and hometowns.

The Taskforce is comprised of 18 diverse members, aged 12-24, with two members representing each of NSW's nine regions. The Taskforce will meet four times throughout the year either online or in person. Travel costs and accommodation will be covered for Regional Youth Taskforce members travelling across NSW for meetings.

The Taskforce is an initiative by the Deputy Premier and Office for Regional Youth, headed by the State's first-ever Minister for Regional Youth, the Hon. Bronnie Taylor. The Office for Regional Youth is responsible for delivering a broad range of strategic programs to address regional youth issues and ensure young people have every opportunity to live, work and thrive in regional NSW.

This is a great opportunity for a young Bourke resident to make a difference to our community, I encourage young people to apply. Being part of the 2022 Regional Youth Taskforce connects young people and will engage you on issues such as entering the workforce, mental health and public transport in the regions. The Taskforce will provide you with the ability to influence important decisions the Government makes on these topics and many more.

Applications are now open now and close at midnight Sunday 21 November 2021 and young people aged 12-24 from regional areas are eligible to apply. The third Taskforce will be appointed from January 2022 until 31 December 2022. To find out more or apply, visit nsw.gov.au/RegionalYouthTaskforce.

Water Notices

Councils Water Notices were sent out to residents last week. This is the first round of Notices where Council has downloaded the water usage data by pressing a button following the installation of Councils electronic water meter fleet. This means that Council no longer has to send meter readers out to read each individual meter.

If you are having trouble reading the Notices, Council's Revenue Officer, Meredith, is happy to explain the Notices. Meredith can be contacted at Council on 68 308 000. In addition to the Water Notices being sent out to residents, a flyer explaining how to read the new electronic water meters was also provided.

NSW Accommodation Support Grant

There is certainly a myriad of grants out there at the moment to support business through the impact of COVID. The latest I saw was a NSW Accommodation support Grant which is for accommodation providers who experienced cancellations for stays between Friday 25 June and Sunday 11 July 2021. There are quite a few accommodation providers in Bourke, so if your business was impacted, you may be eligible for one of two grant amounts being \$2,000 for cancellations of 10 nights or less or \$5,000 for cancellations of 11 nights or more.

If you have more than one accommodation property in NSW, you'll be able to apply for each property. To be eligible for funding under this grant, you must:

- be an eligible business as defined by the ANZSIC codes in the guidelines, which are available at the Service NSW website
- have accommodation premises physically located in NSW
- have an active ABN that is registered for GST and held before 25 June 2021
- be able to show evidence of cancellations between Friday 25 June and Sunday 11 July 2021.

You may also be eligible for this grant if you run a private residence as an Airbnb or short-stay accommodation rental. You must meet the eligibility requirements for the grant and show that the income from the holiday accommodation is your primary income. Once approved, payment will be made to your nominated bank account within 10 business days. Applications are open until 30 November 2021.

Stronger Communities Programme (SCP)

I see that Expressions of Interest are now open for the next round of the popular Stronger Communities Programme (SCP) as provided by the Australian Government. Under this program, \$150,000 is available for community groups in the Parkes electorate to fund small-scale upgrades and new equipment.

This latest funding opportunity will finance up to 20 projects across the electorate, supporting jobs and delivering an economic boost on the other side of the COVID-19 pandemic.

Grants from \$2,500 up to \$20,000 are available to cover up to 100 per cent of eligible project costs, or up to 50 per cent of eligible project costs for local governing bodies.

Submissions must be submitted to Mark Coulton's Office by 5 pm Friday the 3rd of December. Additional information is available at www.business.gov.au/scp

Vaccination Resistance.

I wrote last week about the leadership exhibited by LeBron James (thanks Damo!) in saying that he is fully vaccinated and that he got the vaccine to keep his family safe. This week it's a raspberry to leading international tennis players, such as Novak Djokovic who won't reveal his vaccination status, with dozens of top tennis stars from various countries unlikely to be vaccinated. Seriously? Victorian Premier, Daniel Andrews made the big line call when he said that unvaccinated players would be unlikely to receive a visa to enter Australia and, if they were, they would be likely to have to complete the full two weeks of quarantine. Might be a quite Australian Open in terms of world ranked players. So be it!

Quote: "There was a sense of worry that this might happen. It felt kind of inevitable it would. But this week? On day three, week one? That was shocking." A parent from a Sydney School

commenting that after 16 weeks her children had returned to school, only for a COVID case to be identified on day three of the return week.

4 November 2021

Council Elections

Candidate nominations for the Council Elections, to be held on Saturday 4 December 2021, closed at noon yesterday. On the assumption that more candidates have nominated than the number of Councillor positions that are available (10), today will see the Returning Officer for Bourke conduct the ballot draw for the election. If you wish to see who the candidates are, go to the website:

www.elections.nsw.gov.au

Electoral Material.

Elections bring with them quite a few requirements relating to the display of electoral material. During what is called the “regulated election period” for the 4 December 2021 local government elections (being from Monday, 25 October to 6pm, Saturday 4 December 2021), all electoral material (how-to vote cards, posters, letter box drops, social media etc) must comply with the provisions of the Local Government (General) Regulation 2021.

A person must not, during the regulated election period, print, publish, distribute or publicly display electoral material (other than the announcement in a newspaper of the holding of a meeting), without legibly showing on the material:

- the name and address of the person on whose instructions the material was printed, published, distributed or displayed and
- if the material has been printed, the name of the printer and the street address of the premises at which it was printed.

The address of a person means an address, including a full street address and suburb or locality that is located in Australia at which the person can usually be contacted during the day, but does not include a post office box.

Electoral material (how-to-vote cards) for distribution on Election Day must be registered with and approved by the Electoral Commissioner. The registration of electoral material period commences on Wednesday, 3 November 2021 and closes at 5:00pm, Friday, 26 November 2021.

The NSW Electoral Commission has developed an online registration system for the registration of electoral material, the system will be available from the NSW Electoral Commission website from Thursday, 4 November. Posters are not required to be registered but they must comply with the requirements detailed in the Candidate Handbook.

COVID and the Election.

There was a fair amount of speculation in local government circles as to whether the already postponed Council elections would actually proceed on 4 December 2021 given the state of COVID. Happily, the elections are going ahead and COVID cases are reducing off the back of high vaccination rates. However, to reduce the risk of COVID-19 transmission between electors, election officials and candidate volunteers, (those who hand out the “how-to-vote” flyers) the usual “six metre rule” is being extended to 100 metres with the Electoral Commissioner issuing new directions under the *Local Government (General) Regulation 2021*:

- No electoral material is to be handed out, or left out for collection, in a publicly owned or occupied area (such as on the footpath) that is within 100 metres of the entrance to a polling place or a pre-polling venue on polling days, and

- No posters can be displayed in a publicly owned or occupied area (such as on the footpath or school fences) within 100 metres of the entrance to a polling place or pre-poll venue on polling days, unless they are put in place before 7am (and are otherwise lawful and safe – such as not obstructing electors or other people). Any posters put in place before 7am on a polling day must not to be adjusted or moved again until after 7pm. This direction applies to all types of posters, including A-frames and corflutes.

Material or posters that contravene these directions can be confiscated and destroyed by election officials. Fair few rules associated with elections!

Remembrance Day

At 11 am on 11 November 1918 the guns on the Western Front fell silent after more than four years of continuous warfare. The allied armies had driven the German invaders back, having inflicted heavy defeats upon them over the preceding four months. In November 1918, the Germans called for an armistice (suspension of fighting) in order to secure a peace settlement. They accepted allied terms that amounted to unconditional surrender.

The 11th hour of the 11th day of the 11th month, the moment when hostilities ceased on the Western Front, became universally associated with the remembrance of those who had died in the war. This first modern world conflict had brought about the mobilisation of over 70 million people and left between 9 and 13 million dead, perhaps as many as one-third of them with no known grave. These numbers are staggering in terms of the related pain and suffering endured by so many. The allied nations chose this day and time for the commemoration of their war dead.

Next Thursday, 11 November is the 103rd Anniversary of Remembrance Day. In Bourke, across towns and cities around Australia, and for that matter at locations around the world, people will gather and pause for one minute to remember the service and sacrifice of our veterans and current serving personnel. Whilst there will be a service at the Bourke Cenotaph in Central Park, if you can't attend, I would like to suggest that you find a quiet spot and pause for a minute and reflect on the sacrifices that so many have made, and continue to make, in respect of our freedoms.

Vaccination Certificates

I wrote last week as to how double vaccinated members of the community could integrate their COVID-19 digital vaccination certificate into their Service NSW app. For those double vaccinated residents who aren't able to access their vaccination certificate on a mobile phone App, I received advice this week from the National Indigenous Australians Agency (NIAA) that there are a number of options available. You can either:

- Ask the provider who vaccinated you to provide you with a paper copy of the vaccination certificate.
- Visit a Services Australia Service Centre (Centrelink in Bourke at the corner of Richard Street & Mertin Street, Bourke). Ask and they will provide you with a printed copy – if that's not possible they can mail it to you.
- Contact the Australian Immunisation Register on 1800 653 809 and they will post out a copy – estimated postage time 14 days.

With the media reporting that the NSW government is considering "pushing back the reopening date for unvaccinated people in a bid to boost the state's inoculation coverage, with senior

ministers now eyeing a potential double-dose rate of 95 per cent” which may result in freedoms for unvaccinated people previously identified from 1 December 2021 being postponed, there are plenty of medical providers in Bourke who can provide vaccination shots for the 300 or so people over 12 years of age in Bourke who aren’t as yet vaccinated.

Movember

Movember is an annual, month-long celebration of the moustache, to highlight men's health issues, specifically prostate cancer and depression in men. Mo Bros, supported by their Mo Sistas, started Movember (November 1st) clean shaven and then have the remainder of the month to grow and groom their moustache. During Movember, each Mo Bro effectively becomes a walking billboard for men's health and, via their Mo, raises essential funds and awareness for Movember's men's health partners.

There are some interesting statistics regarding men’s health, or really, the lack of it.....

- Men’s health is in crisis. Men are dying on average 5 years earlier than women, and for largely preventable reasons.
- A growing number of men – around 10.8M globally – are facing life with a prostate cancer diagnosis. Globally, testicular cancer is the most common cancer among young men.
- Across the world, one man dies by suicide every minute of every day, with males accounting for 75% of all suicides.

As men, we so often take the “she’ll be right” approach to our health. Whilst some may grow the Mo, each to their own, take control of your health, and make regular appointments with your Doctor for a regular check-up and then take their advice.

Better Baaka Program

The Minister for Water, Property and Housing, the Hon Melinda Pavey, last week released a Media Release proposing infrastructure improvements and operating rules to make the Darling-Baaka river system “more flexible, so its rivers and floodplains can be maintained, and sustainable local communities, agriculture and industries can be supported.” One of the identified proposals in the release relates to the upgrading of the weir at Bourke to “provide greater town water security, increase fish passage and better manage Norther Basin Flows.” Sounding positive.

To learn more, it is advised that Water Infrastructure NSW is hosting a series of webinars to introduce the Better Baaka program to stakeholders. The first webinar was held yesterday, with a further webinar being held on Wednesday, 10 November 2021 from 5:00 pm to 7:00 pm.

To register go to www.water.dpie.nsw.gov.au and search Better Baaka Program.

Quote: “We just want to find something to beat him, but to be honest we can’t find one.”

The boss of Ladbrokes Betting Agency talking about Melbourne Cup favourite, Incentivise. Time will have told by the time the Western Herald is published.

11 November 2021

Bourke Small Stock Abattoir

The big news for Bourke towards the end of last week was the announcement by Thomas Foods International that it had finalised a deal to purchase the Bourke Small Stock Abattoir from CAPRA Developments P/L. This is a most exciting announcement for Bourke and the region and is

undoubtedly the culmination of a significant amount of work by both the seller and the purchaser. There was certainly a flurry of activity at Council as it addressed its obligations in respect of the project. With significant drought conditions affecting the Bourke region at the time CAPRA Developments P/L were looking to open, which in turn affected goat availability, it is unfortunate that CAPRA were not able to bring their vision for the abattoir to fruition. With the sale however, comes renewed hope for the abattoir complex. Whilst I haven't been through the complex, I have seen many photos and the description as a "state-of-the-art" facility would certainly appear to be most appropriate.

Thomas Foods International (TFI) was established in 1988 by Mr Chris Thomas and has grown from small beginnings to become one of Australia's largest family-owned food businesses. Now led by Mr Darren Thomas, TFI have teams in Australia, the US, China, Japan and Europe, growing, supplying, and distributing premium meat and seafood all over the world. The company has global turnover of \$2 billion in delivering some 170,000 tonnes of product a year to 85 countries around the world. These are impressive figures.

In coming weeks, Mayor Barry and I will meet with Mr Darren Thomas. We both look forward to firstly welcoming Mr Thomas and TFI to Bourke and then hearing of their plans for the abattoir moving forward. Already they have announced "plans to re-open the modern facility, expand its operations and employ more than 120 staff." The announcement also advised that TFI are looking to make a range of capital improvements to the site over coming months including the addition of freezing and rendering facilities with the plan being to begin processing both skin-on and skin-off goats from around mid-2022.

Already TFI is seeking registrations of interest for jobs at the plant. For those people wishing to register their interest to work at the Bourke plant, they can contact TFI by emailing them at recruitment@thomasfoods.com

Council Elections.

Candidate nominations for the 2021 Council elections for Bourke Shire Council closed at noon on Wednesday 3 November 2021. At the close of this nomination period, there were 10 persons who had nominated for the 10 Councillor positions. Given this situation, referred to as an uncontested election, the Returning Officer last week declared the 10 candidates duly elected to Bourke Shire Council. This means that there will be no election held in the Bourke community on 4 December 2021 as previously advised. Candidates won't need to campaign, voters won't need to vote, my staff won't need to man the pre poll vote and so on. So many resources saved!!

The Local Government Act provides that where a person holds civic office without a poll being held, they are taken to have been elected on the day on which the poll for an ordinary election would have been held. In this case the election day is 4 December 2021.

Those elected to Council are as follows:

Victor Bartley. Sarah Barton. Sally Davis. Cec Dorrington. Lachlan Ford

Barry Hollman. Samuel Rice. Grace Ridge. Nathan Ryan. Bob Stutsel

The term of these Councillors ends 14 September 2024, being the second Saturday of September in that year. Post 4 December 2021, I will be in contact with these Councillors to arrange an initial meeting of Council to elect a Mayor and Deputy Mayor.

I congratulate these Councillors on their appointment. In doing so, it would be remiss of me not to thank and recognise the input of Councillors Ian Cole and John Thompson to Council during their

respective terms. These gents did not seek re-election to Bourke Shire and between them have provided 18 years of service to the community.

Diggers Clean-Up.

No doubt the community is happy to see that the clean-up of the "Diggers on the Darling" site is well and truly underway. In matters such as this, it does take time to get everything in order in readiness for the site to be remediated. To their credit, since the fire on 1 September 2021, owners of the site, Phillip and Anne-Marie Parnaby have kept Councils Manager Environmental Services, Dwayne Willoughby, and me, up to speed with the various behind the scenes activities undertaken to get to a point where the clean-up commenced. The contractor engaged by the Parnaby's to undertake the work is Regional Demolitions with all material from the site to be transported to the Bourke Waste Depot where Council has built a waste cell to specifically accommodate the Diggers waste. The only waste from the site that will not be buried in the cell is the tin from the roof which will be washed down and recycled.

November Events

I wrote in my Column last week about Movember being an annual, month-long celebration of the moustache, to highlight men's health issues, specifically prostate cancer and depression in men.

In addition to highlighting this health issue, 8-14 November sees a focus on cervical cancer in women with National Cervical Cancer Awareness Week. The week is used to raise funds and promote awareness and education around cervical cancer and the impact it has on Australian women and their families every year. Currently Australia is on track to be the first country in the world to eliminate cervical cancer by 2035.

On Thursday 25 November, White Ribbon Day will be held. The White Ribbon Campaign aims to raise awareness among Australian men and boys about the roles they can play to prevent violence against women. The campaign calls for men across Australia to speak out and take an oath about violence against women. I am very comfortable to swear never to commit, excuse or remain silent about violence against women.

To end men's violence against women, attitudes and behaviour need to change. Unfortunately, this will take time. Many people think violence against women is committed in public places by strangers. The fact is that women who are at risk of violence are more likely to experience it in their own home and from men they know. Watching the news, reading articles on the topic and seeking information will undoubtedly help men understand the impact of violence and abuse on women and the community.

Men are not naturally violent. Violent and abusive behaviours are learnt. When I spoke at my Dads funeral back in 2017, I spoke of the fact that in my time I had never seen my Mum and Dad have an argument. I recognised that I had a charmed upbringing, in many senses, and know that not everyone has been so lucky. Unfortunately, many children see and experience behaviours in their formation years that they really shouldn't be exposed to. As men we need to be an example to other men in terms of how we treat women with respect and as equals. We should be mindful of how language as well as actions can be disrespectful and abusive. Healthy relationships help create gender equality. We can express our feelings directly and in non-violent ways, for example, by expressing appreciation to our partner or having disagreements using well managed and respectful words.

White Ribbon Day allows us all to show a commitment to ending men's violence against women by wearing a white ribbon or wristband. Men can use the day as a starting point to talk with friends,

family and colleagues about men's violence against women. Be proud to stand up, speak out and act to prevent men's violence against women.

I must say, if ever you see violence happening, call the police and never assume someone else has. Ensure you do something to stop the violence, but in doing so don't use violence yourself or put yourself in danger. Do not remain silent: stand up, speak out and act to stop men's violence against women. In addition, be a role model to other men, women and children. Teach them that violence is unacceptable and talk about ways to manage negative feelings that could result in conflict or violence.

Quote of the Week: *"We're confident the Bourke plant will become a successful long-running operation for the region"* - Thomas Foods International Livestock Manager, Paul Leonard, announcing the companies deal to purchase the Bourke Small Stock Abattoir.

Recommendation

That the information in the General Manager's Activity Report as presented to Council on Monday, 22 November 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

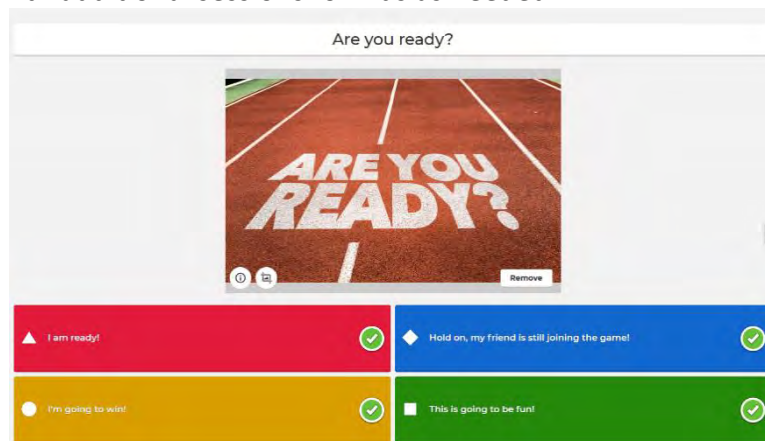
The following items for the October 2020 - October 2021 period are presented for your information:

Item	October 2020	October 2021
Loans	549	409
New Members	7	10

Other statistical information:

	October 2020		October 2021
Internet/Word Processing	42	Internet/Word Processing	2
Wireless Tickets	21	Wireless Tickets	0
Number of Visitors	264	Number of Visitors	24
Scans	24	Scans	4
Information Requests	66	Information Requests	24
Technical Assistance	47	Technical Assistance/Printing	28
Faxes	7	Faxes/Laminating	0

- ☒ The library re-opened to the public on the 19 October. At this point it is only open for loans and limited computer use.
- ☒ We continued to run our weekly online trivia sessions for adults and kids until the library re-opened. There were 3 sessions held for each group, with 78 attending the adult sessions and 12 kids attending. We are planning to continue to hold online trivia sessions on a monthly basis, with additional sessions for kids as needed.



Recommendation

That the information in the Library Manager's Report as presented to Council on Monday, 22 November 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 Manager's Activity Report provides Council with an updated status report for October, relating to its tourism teams activities through visual data including graphs and statistics to allow for the measurement of the team's progress and performance.

Current Situation**Back O' Bourke Information and Exhibition Centre**

Visitor numbers for October were 409.

	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	570	1500	1051	1342	1612	1245	1274	1021	412	1389
April	2144	3103	3146	3849	3118	3114	4024	3166	0	2387
May	2891	3758	3988	4602	4073	3983	4770	3693	0	2564
June	3216	4492	4275	5437	5199	4754	5634	4490	993	2366
July	4643	5173	6241	6002	5941	5982	7614	6834	2570	1068
Aug	4162	4410	4793	5078	4951	5051	5548	4052	1898	255
Sept	5074	4275	4764	4489	4532	4246	4676	3601	3325	0
Oct	3067	2383	2486	2370	2475	2463	3574	2222	5246	409
Nov	930	789	671	610	1031	876	1014	1220	1989	
Dec	347	207	242	272	281	255	630	860	1194	
Total	27649	31044	32253	34750	33906	32537	39454	32984	19122	

The centre was closed for the entire month of September due to regional lockdown. Reopened on 18th October.

The 14 days the centre was opened all ticket sales for the Jandra Paddleboat, Mt Oxley and the Exhibition Centre were obviously up 100% on September.

Café turnover was also up. The café opened on 25th October with only 1 week of operation for the month.

There were no Function Centre bookings or private Jandra cruises.

Although we had no tour groups, a lot of these cancellations have rebooked for 2022.

With staff being able to return to work, maintenance of gardens is progressing.

PV Jandra started cruising again on the 18/10/2021

Crossley Engine recommenced on the 18/10/2021.

Recommendation

That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 22 November 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 * Deed of Agreement - CAPRA PTY LTD - Proposed Sale of Small Stock Abattoir – October 2021 Update**

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.