



# **MINUTES**

**Ordinary Council Meeting**

**26 April 2022**

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**MINUTES OF SHIRE OF BOURKE  
ORDINARY COUNCIL MEETING  
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW  
ON TUESDAY, 26 APRIL 2022 AT 9.15AM**

**PRESENT:** Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Lachlan Ford (Deputy Mayor), Cr Cec Dorrington, Cr Sam Rice, Cr Grace Ridge, Cr Robert Stutsel

**IN ATTENDANCE:** Mark Riley (General Manager), Leonie Brown (Manager of Corporate Services), Alex Saju (Manager Roads Services), Dwayne Willoughby (Manager Environmental Services), Margo Anderson (Executive Assistant)

**1 OPENING PRAYER**

Councillor Dorrington opened the meeting with a prayer.

**2 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor then provided an Acknowledgment of Country.

**3 REMEMBRANCE**

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

John Bartley                      Henry (Peter) O'Shannessy                      Josie Whyte

Carol Milgate

**4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

**Resolution 2022/65**

**Moved: Cr Cec Dorrington**

**Seconded: Cr Robert Stutsel**

**That the apologies received from Cr Barton, Cr Davis and Cr Ryan be accepted and leave of absence granted.**

**Carried**

**5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS**

Nil

**6 DISCLOSURES OF INTEREST**

Cr Grace Ridge declared a pecuniary interest in Item 22.2 of the Agenda – North Bourke Stormwater Drainage. The reason for such interest is that Councillor Ridge and her family have a business relationship with the owner of the land detailed within the report. In making her declaration Councillor Ridge advised that she would leave the Chamber and be out of sight during Council's consideration of the matter

Ms Leonie Brown, Manager Corporate Services, declared a pecuniary interest in respect of Business Arising Item No 12.1 of today's Council agenda – Business Arising - General Manager Recruitment, such that she will leave the room and be out of sight if there is discussion of this matter. The reason for such interest is that Ms Brown may be a candidate for the role of General Manager.

## **7 MAYORAL MINUTE**

### **7.1 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 2022/66**

**Moved: Cr Barry Hollman**

**That the information in the Mayoral Minute as presented to Council on Tuesday, 26 April 2022 be noted.**

**Carried**

## **8 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.

**Resolution 2022/67**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Victor Bartley**

**That the the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Tuesday, 26 April 2022 be adopted.**

**Carried**

**9 CONFIRMATION OF MINUTES****Resolution 2022/68****Moved: Cr Cec Dorrington****Seconded: Cr Sam Rice**

**That the minutes of the Ordinary Council Meeting held on 28 March 2022 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.**

**Carried****10 NOTICES OF MOTION**

Nil

**11 RESCISSION MOTIONS**

Nil

**12 BUSINESS ARISING****12.1 \*\*\* BUSINESS ARISING****File Number: C12.1**

The Council had before it the report of the General Manager regarding the Business Arising.

**Resolution 2022/69****Moved: Cr Victor Bartley****Seconded: Cr Robert Stutsel**

**That the information in the Business Arising Report as presented to Council on Tuesday 26 April 2022 be noted.**

**Carried**

**12.2 CALENDAR OF EVENTS****File Number: C12.6**

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

**Resolution 2022/70****Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

**That the information in the Calendar of Events Report as presented to Council on Tuesday, 26 April 2022 be noted.**

**Carried****12.3 INFORMATION TO COUNCILLORS****File Number: C12.1**

The Council had before it the report of the General Manager regarding the Information to Councillors.

**Resolution 2022/71****Moved: Cr Victor Bartley****Seconded: Cr Sam Rice**

**That the contents of the Information to Councillors Report as presented to Council on Tuesday 26 April 2022 be noted.**

**Carried****13 ENGINEERING SERVICES DEPARTMENT**

Nil

**14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT**

Nil

**15 GENERAL MANAGER****15.1 \*\*\* CODE OF MEETING PRACTICE****File Number: C11.1, C12.1**

The Council had before it the report of the General Manager regarding the Code of Meeting Practice.

**Resolution 2022/72****Moved: Cr Robert Stutsel****Seconded: Cr Sam Rice**

**That pending any prescribed amendments, Council adopt the draft "Code of Meeting Practice" as its adopted Code for the term of the Council ending 14 September 2024.**

**Carried****15.2 \*\*\* PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY****File Number: C11.1**

The Council had before it the report of the General Manager regarding the Payment of Expenses and Provision of Facilities Policy.

**Resolution 2022/73****Moved: Cr Cec Dorrington****Seconded: Cr Sam Rice**

**That pending any prescribed amendments, Council adopt the draft "Payment of Expenses and Provision of Facilities for the Mayor and Councillors Policy" as its adopted Policy for the term of the Council ending 14 September 2024.**

**Carried**



**15.3 COUNCILLOR INDUCTION TRAINING AND PROFESSIONAL DEVELOPMENT****File Number: C11.1**

The Council had before it the report of the General Manager regarding the Councillor Induction Training and Professional Development.

**Resolution 2022/74****Moved: Cr Robert Stutsel****Seconded: Cr Sam Rice**

- 1. That the report of the General Manager be noted and that the information be utilised in preparing Councils 2022/2023 Annual Report, as required.**
- 2. That as per the Local Government (General) Regulation, the General Manager be requested to take the necessary action and prepare an ongoing professional development program for delivery to the Mayor and Councillors, during the current term of office.**

**Carried****16 CORPORATE SERVICES DEPARTMENT****16.1 \*\*\* 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 2022/75****Moved: Cr Cec Dorrington****Seconded: Cr Lachlan Ford**

**That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 31 March 2022 be noted.**

**Carried**

**16.2 \*\*\* INVESTMENT REPORT AS AT 31 MARCH 2021****File Number: F1.1**

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

**Resolution 2022/76****Moved: Cr Cec Dorrington****Seconded: Cr Lachlan Ford**

- 1. That the report regarding Council's Investment Portfolio 31 March 2022 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

**Carried****16.3 \*\*\* BUDGET REVIEW TO 31 MARCH 2021****File Number: F1.6**

The Council had before it the report of the Manager of Corporate Services regarding the Budget Review to 31 March 2021.

**Resolution 2022/77****Moved: Cr Cec Dorrington****Seconded: Cr Victor Bartley**

- 1. That the document titled "Quarterly Budget Review Statement – March 2022" be received and noted.**
- 2. That the variations of income and expenditure as identified in the "Quarterly Budget Review Statement – March 2022" be adopted.**

**Carried**

**16.4 \*\*\* DRAFT OPERATIONAL PLAN 2022/2023 - OVERVIEW****File Number: P4.1**

The Council had before it the report of the Manager of Corporate Services regarding the Draft Operational Plan 2022/2023 - Overview.

**Resolution 2022/78****Moved: Cr Sam Rice****Seconded: Cr Robert Stutsel**

**That the report of the Manager of Corporate Services detailing an overview of the 2022/2023 Draft Delivery and Operational Plan be noted.**

**Carried****16.5 \*\*\* PLANT REPLACEMENT SCHEDULE****File Number: P3.1-P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the Plant Replacement Schedule.

**Resolution 2022/79****Moved: Cr Cec Dorrington****Seconded: Cr Grace Ridge**

**That the Plant Replacement Schedule as detailed be included in the Draft Operational Plan 2022/2023.**

**Carried****16.6 \*\*\* SALE OF ASSETS TO BE CONDUCTED BY COUNCIL****File Number: A11.1.1**

The Council had before it the report of the Manager of Corporate Services regarding the Sale of Assets to be Conducted by Council.

**Resolution 2022/80****Moved: Cr Cec Dorrington****Seconded: Cr Grace Ridge**

**That the sale of listed plant for inclusion in the Draft Operational Plan 2022-2023 be approved.**

**Carried**

**16.7 \*\*\* LOAN SCHEDULE****File Number: P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the Loan Schedule.

**Resolution 2022/81****Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

**That Council borrow up to \$1,240,000.00 in the 2022/2023 financial year to fund the projects as listed.**

**Carried****16.8 \*\*\* REVENUE POLICY****File Number: P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the Revenue Policy.

**Resolution 2022/82****Moved: Cr Sam Rice****Seconded: Cr Lachlan Ford**

- 1. That Council note the amended Draft Revenue Policy for 2022/2023.**
- 2. That Council adopts a filtered water price of \$2.31/KL for the 2022/2023 rating period while maintaining the set increase of 2.1% in all water access charges.**
- 3. That Council adopts an increase of 2.1% in Sewerage Rates & Charges for the 2022/2023 rating period.**
- 4. That Council adopt the maximum interest rate as provided by the Office of Local Government under section 566 (3) of the Local Government Act, being 6%.**
- 5. That Council adopts the Domestic Waste Management Charges as detailed and include in the Draft Operational Plan 2022/2023.**
- 6. That Council adopt the Schedule of Rates and Charges for inclusion in the Draft Operational Plan 2022/2022.**

**Carried**

**16.9 \*\*\* FEES & CHARGES****File Number: F1.2-P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the Fees & Charges.

**Resolution 2022/83****Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

**That Council adopt the Fees and Charges, as presented, for inclusion in the Draft Operational Plan 2022/2023.**

**Carried****16.10 \*\*\* DRAFT OPERATIONAL PLAN****File Number: P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the Draft Operational Plan.

**Resolution 2022/84****Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

- 1. That Council approve the Draft Operational Plan for 2022/2023 for the purposes of being advertised and calling for submissions in accordance with Section 405 (3) of the Local Government Act.**
- 2. That Council again review the Draft Operational Plan for 2022/2023 and any submissions received at the Ordinary Meeting of Council scheduled for Monday, 27 June 2022.**

**Carried**

**16.11 \*\*\* DRAFT DELIVERY PROGRAM 2023-2027****File Number: P4.1**

The Council had before it the report of the Manager of Corporate Services regarding the Draft Delivery Program 2023-2027.

**Resolution 2022/85****Moved: Cr Cec Dorrington****Seconded: Cr Grace Ridge**

- 1. That Council note the draft Delivery Program**
- 2. That the draft Delivery Program be placed on public exhibition for comment for a period of 28 days.**

**Carried****16.12 \*\*\* 2022-2026 DRAFT DELIVERY PROGRAM AND 2022/2023 OPERATIONAL PLAN PREPARATION TIMETABLE****File Number: A4.3-P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the 2022-2026 Draft Delivery Program and 2022/2023 Operational Plan preparation Timetable.

**Resolution 2022/86****Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

**That Council confirm the proposed timetable for finalisation of the Delivery Program 2022-2026 and Operation Plan 2022/2023 as follows:**

|                               |                                                                                                                                                                       |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tuesday, 26 April 2022</b> | <b>Consideration and Determination of Draft Delivery Program and Operational Plan and approval to put on public exhibition including the calling for submissions.</b> |
| <b>Monday, 9 May 2022</b>     | <b>Disseminate required public notice calling for submissions on Draft Delivery Program and Operational Plan.</b>                                                     |
| <b>Monday, 6 June 2022</b>    | <b>Closing date for receipt of submissions at 4.30pm.</b>                                                                                                             |
| <b>Monday, 27 June 2022</b>   | <b>Adoption of Delivery Program 2022-2026 and Operational Plan 2022/2023, after due consideration of any submissions received.</b>                                    |

**Carried**

**16.13 LONG TERM FINANCIAL PLAN****File Number: P4.2**

The Council had before it the report of the Manager of Corporate Services regarding the Long Term Financial Plan.

**Resolution 2022/87****Moved: Cr Grace Ridge****Seconded: Cr Robert Stutsel**

- 1. That following the preparation of the draft Long Term Financial Plan for 2022/2032, the draft Plan be advertised in accordance with Section 405 (3) of the Local Government Act.**
- 2. That Council review the Draft Long Term Financial Plan for 2022/2032 and any submissions received at the Ordinary Meeting of Council scheduled for Monday, 27 June 2022.**

**Carried****17 ECONOMIC DEVELOPMENT DEPARTMENT**

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 2022/88****Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

**That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Tuesday, 26 April 2022.**

**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 2022/89****Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

**That Council note the information in the Parks and Gardens, Town Services and Water and Waste Water Activity Report as presented to Council on Tuesday, 26 April 2022 be received and noted.**

**Carried**



**21.3 PLANNING, REGULATORY & ENVIRONMENT ACTIVITY REPORT**

**File Number: D3.1, A11.1, A8.1, S10.1**

The Council had before it the report of the Manager Environmental Services regarding the Planning, Regulatory & Environment Activity Report.

**Resolution 2022/90**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Victor Bartley**

**That the information in the Environmental Services Activity Report as presented to Council on Tuesday, 26 April 2022 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 2022/91**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Victor Bartley**

**That the information in the General Manager's Activity Report as presented to Council on Tuesday, 26 April 2022 be noted.**

**Carried**

**21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR FEBRUARY**

**File Number: L4.1**

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

**Resolution 2022/92**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Victor Bartley**

**That the information in the Library Manager's Report for March 2022 as presented to Council on Tuesday, 26 April 2022 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 2022/93**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Victor Bartley**

**That the information in the Tourism and Events Manager's Activity Report for March 2022 as presented to Council on Tuesday, 26 April 2022 be noted.**

**Carried**

**22 CLOSED SESSION**

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

**Resolution 2022/94**

**Moved: Cr Cec Dorrington**

**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 02/22 - Bourke Memorial Olympic Swimming Pool Complex Learn to Swim Pool and Filtration Plant**

**This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**

**22.2 \*\*\* 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.**

**Carried**

Council proceeded into closed session with the livestreaming of the meeting being paused at 10.03am.

**22.1 \*\*\* TENDER 02/22 - BOURKE MEMORIAL OLYMPIC SWIMMING POOL COMPLEX LEARN TO SWIM POOL AND FILTRATION PLANT****File Number: S10.1**

The Council had before it the report of the Manager Environmental Services regarding the Tender 02/22 - Bourke Memorial Olympic Swimming Pool Complex Learn to Swim Pool and Filtration Plant.

**Resolution 2022/95****Moved: Cr Lachlan Ford****Seconded: Cr Robert Stutsel**

1. That Council notes the Facilities Design Group assessment of tenders received for Phase one (1) of the Memorial Olympic Swimming Pool upgrade being the Learn to Swim Pool and Filtration Plant components.
2. That as per the tender assessment, Council award the tender for phase one (1) of the Memorial Olympic Swimming Pool upgrade, being the Learn to Swim Pool and Filtration Plant components, to Hydrocare Pools at a price of \$1,667,383 (ex GST).
3. That any necessary documents be executed under the Common Seal of Council.

**Carried**

At this juncture, Cr Grace Ridge left the meeting, the time being 10:09 am.

**22.2 \*\*\* NORTH BOURKE STORMWATER DRAINAGE****File Number: D6.1, D6.2, V1.6**

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

**Resolution 2022/96****Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

1. That the information in the report of the General Manager from March 2022 be noted.
2. That the Mayor and General Manager be requested to take the necessary action in pursuit of potentially acquiring land in respect of this drainage matter, for a further report to Council.
3. That the Mayor and General Manager be requested to brief Mr G Seiler on the progress of this matter.
4. That the documents and considerations in respect of this matter remain confidential to Council.

**Carried**

At this juncture, Cr Grace Ridge returned to the meeting, the time being 10:14 am.

**Resolution 2022/97**

**Moved: Cr Victor Bartley**

**Seconded: Cr Robert Stutsel**

**That Council moves out of Closed Council into Open Council.**

**Carried**

Open council resumed at 10.14am.

**RESOLUTIONS FROM CLOSED SESSION OF COUNCIL**

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

**The Meeting closed at 10.16am.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 May 2022.**

.....  
**CHAIRPERSON**