



MINUTES

Ordinary Council Meeting

25 July 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 MONDAY, 25 JULY 2022 AT 9.15AM**

PRESENT: Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sarah Barton, Cr Lachlan Ford (Deputy Mayor), Cr Sally Davis, Cr Cec Dorrington, Cr Sam Rice, Cr Grace Ridge, Cr Nathan Ryan, Cr Robert Stutsel

IN ATTENDANCE: Leonie Brown (General Manager), Robert Bottger (Acting Manager Roads Services), Peter Brown (Manager Works), Melanie Milgate (Economic Development Manager), Brian Tickle (Acting Manager Corporate Services)

1 OPENING PRAYER

The Mayor opened the meeting with a prayer

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor then provided an Acknowledgment of Country

3 REMEMBRANCE

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

David Appleyard	Tom Bunsworth	Jenny Cottee
Eva Elwood	Ray (Sparks) Hudson	Ronald (Eckroy) Kelly
Grace Mawhinney	Dion (Gus) Potter	Audrey Randall
Brian Waters	John Wheelhouse	

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS

Nil

6 DISCLOSURES OF INTEREST

Cr Sarah Barton declared a pecuniary interest in Item 12.1 of the Agenda - Business Arising – 2022/116, Reconnecting Regional NSW Community Events Program. The reason for such interest is that Cr Barton is a Member of the Back O' Bourke Rodeo Committee. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council consider Item 12.1 of the Agenda.

Cr Sarah Barton declared a pecuniary interest in Item 21.4 of the Agenda – General Manager's Activity Report – Regional Economic Development Strategies (REDS) Update. The reason for such interest is that Cr Barton is an employee of the Department of Regional NSW who facilitated the

REDS Update Workshop. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council consider Item 21.4 of the Agenda.

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 2022/153

Moved: Cr Barry Hollman

That the information in the Mayoral Minute – Mayoral Activities as presented to Council on Monday, 25 July 2022 be noted.

Carried

7.2 * MAYORAL MINUTE - ALLIANCE OF WESTERN COUNCILS**

File Number: M2.1, L8.36

The Council had before it the report of the Mayor regarding the Mayoral Minute - Alliance of Western Councils.

Resolution 2022/154

Moved: Cr Cec Dorrington

Seconded: Cr Sally Davis

That Council participate in and maintain membership of the Alliance of Western Councils, whilst at the same time maintaining its active membership of the Far North West Joint Organisation.

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 2022/155

Moved: Cr Lachlan Ford

Seconded: Cr Victor Bartley

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 July 2022 be adopted.

Carried

9 CONFIRMATION OF MINUTES**Resolution 2022/156**

Moved: Cr Cec Dorrington

Seconded: Cr Sam Rice

That the minutes of the Ordinary Council Meeting held on 27 June 2022 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 2022/157

Moved: Cr Sam Rice

Seconded: Cr Robert Stutsel

That the information in the Business Arising Report as presented to Council on Monday, 25 July 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 2022/158

Moved: Cr Lachlan Ford

Seconded: Cr Victor Bartley

That the information in the Calendar of Events Report as presented to Council on Monday, 25 July 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 2022/159

Moved: Cr Lachlan Ford

Seconded: Cr Victor Bartley

That the contents of the Information to Councillors Report as presented to Council on Monday, 25 July 2022 be noted.

Carried

13 ENGINEERING SERVICES DEPARTMENT**13.1 *** RURAL WATER CONNECTIONS****File Number: W2.1**

The Council had before it the report of the Manager Works regarding Rural Water Connections.

Motion**Moved: Cr Sally Davis****Seconded: Cr Victor Bartley**

- 1. That the identified boundaries for the maintenance and supply of water to the Village of Wanaaring, as herewith, be adopted.**
- 2. That Council cease to maintain and supply water to any properties outside of the identified boundaries for the Village of Wanaaring as included herewith.**
- 3. That Council advise any residents on water lines external to the village boundaries that no further upgrade to the water supply line will be completed by Bourke Shire Council and that effective 1 January 2023, the service be disconnected.**

Amendment**Moved: Cr Robert Stutsel****Seconded: Cr Lachlan Ford****Amendment**

1. That the identified boundaries for the maintenance and supply of water to the Village of Wanaaring, as herewith, be adopted.
2. That Council cease to maintain pipelines to any properties outside of the identified boundaries for the Village of Wanaaring.
3. That Council advise any resident on water lines external to the village boundaries that they will be charged the applicable connection and usage charges, forthwith.

The amendment was put to the meeting and was lost.

The motion was put to the meeting and was carried.

Resolution 2022/160**Moved: Cr Sally Davis****Seconded: Cr Victor Bartley**

- 1. That the identified boundaries for the maintenance and supply of water to the Village of Wanaaring, as herewith, be adopted.**
- 2. That Council cease to maintain and supply water to any properties outside of the identified boundaries for the Village of Wanaaring as included herewith.**
- 3. That Council advise any residents on water lines external to the village boundaries that no further upgrade to the water supply line will be completed by Bourke Shire Council**

and that effective 1 January 2023, the service be disconnected.

Carried

14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

14.1 * CAMPING & CARAVAN USAGE - MITCHELL HIGHWAY ROAD RESERVE AND NORTH BOURKE BOAT RAMP CROWN RESERVE**

File Number: L1.9

The Council had before it the report of the Manager Environmental Services regarding the Camping & Caravan Usage - Mitchell Highway Road Reserve and North Bourke Boat Ramp Crown Reserve.

Motion

Moved: Cr Lachlan Ford

Seconded: Cr Sally Davis

1. That the legislative information in respect of the potential usage of the North Bourke Boat Ramp Crown Reserve for the purposes of caravanning and camping be noted.
2. That Council not pursue the development of a primitive campground to allow camping at the North Bourke Boat Ramp Crown Reserve and having regard to this position, camping in this reserve not be permissible and appropriate signage be maintained.
3. That Council enter into discussions with TfNSW with a view to the sealed section of road reserve leading to the old North Bourke Bridge being designated for use by light and recreational travellers as a Rest Area, for a trial period ending 12 months after the opening of such road reserve as a rest area, should it be approved.
4. At the end of this period it would be proposed that a report on the trial be provided to Council to review usage and issues, including any impact on accommodation providers in Bourke.

Amendment

Moved: Cr Lachlan Ford

Seconded: Cr Sally Davis

1. That the legislative information in respect of the potential usage of the North Bourke Boat Ramp Crown Reserve for the purposes of caravanning and camping be noted.
2. That Council not pursue the development of a primitive campground to allow camping at the North Bourke Boat Ramp Crown Reserve and having regard to this position, camping in this reserve not be permissible and appropriate signage be maintained.
3. That Council enter into discussions with TfNSW with a view to the sealed section of road reserve leading to the old North Bourke Bridge being designated for use by light and recreational travellers as a Rest Area, for a trial period ending 12 months after the opening of such road reserve as a rest area, should it be approved.

4. At the end of this period it would be proposed that a report on the trial be provided to Council to review usage and issues, including any impact on accommodation providers in Bourke.
5. That Council investigate further opportunities to promote Bourke as an RV friendly town.

The Amendment was put to the meeting and was carried.

The Amendment became the Motion and was put to the meeting.

Resolution 2022/161

Moved: Cr Lachlan Ford

Seconded: Cr Sally Davis

1. That the legislative information in respect of the potential usage of the North Bourke Boat Ramp Crown Reserve for the purposes of caravanning and camping be noted.
2. That Council not pursue the development of a primitive campground to allow camping at the North Bourke Boat Ramp Crown Reserve and having regard to this position, camping in this reserve not be permissible and appropriate signage be maintained.
3. That Council enter into discussions with TfNSW with a view to the sealed section of road reserve leading to the old North Bourke Bridge being designated for use by light and recreational travellers as a Rest Area, for a trial period ending 12 months after the opening of such road reserve as a rest area, should it be approved.
4. At the end of this period it would be proposed that a report on the trial be provided to Council to review usage and issues, including any impact on accommodation providers in Bourke.
5. That Council investigate further opportunities to promote Bourke as an RV friendly town.

Carried

15 GENERAL MANAGER**15.1 *** ACCOUNTING FOR RURAL FIREFIGHTING EQUIPMENT****File Number: F2.3**

The Council had before it the report of the General Manager regarding Accounting for Rural Firefighting Equipment.

Resolution 2022/162**Moved: Cr Robert Stutsel****Seconded: Cr Sally Davis**

1. That Council write to the NSW Treasurer, the Hon Matt Kean MP; the Minister for Emergency Services and Resilience, the Hon Stephanie Cook MP; the Minister for Local Government, Wendy Tuckerman MP and the Member for Barwon, Roy Butler MP.
 - a. Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
 - b. Advising of the impact of the Government's position on Council finances of this accounting treatment;
 - c. Informing that Council will not carry out RFS asset stocktakes on behalf of the NSW Government and will not record RFS assets in Bourke Shire Council's financial statements;
 - d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - e. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
2. That Council write to the NSW Auditor General, Ms Margaret Crawford, advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Bourke Shire Council's Financial Statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
3. That notwithstanding Council's position in respect of this accounting issue, Council reaffirms its complete support of and commitment to its local RFS brigade.
4. That Council requests LGNSW to continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets

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 General Manager regarding the Bank Reconciliation & Statement of Bank Balances.

Resolution 2022/163**Moved: Cr Sally Davis****Seconded: Cr Cec Dorrington**

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 30 June 2022 be noted.

Carried**16.2 *** INVESTMENT REPORT AS AT 30 JUNE 2022****File Number: F1.1**

The Council had before it the report of the General Manager regarding the Investment Report as at 30 June 2022.

Resolution 2022/164**Moved: Cr Cec Dorrington****Seconded: Cr Sally Davis**

- 1. That the report regarding Council's Investment Portfolio 30 June 2022 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

Carried

16.3 * REVIEW OF CAPITAL WORKS PROGRAM 2021/2022 AND REALLOCATION OF FUNDS****File Number: R2.5**

The Council had before it the report of the General Manager regarding the Review of Capital Works Program 2021/2022 and Reallocation of Funds.

Resolution 2022/165**Moved: Cr Cec Dorrington****Seconded: Cr Lachlan Ford**

That the capital works projects previously planned for 2021/2022 as detailed herewith be revoted for expenditure as part of the Operational Plan for 2022/2023.

Carried**16.4 *** FINANCIAL STATEMENTS - 30 JUNE 2022****File Number: F1.4.6**

The Council had before it the report of the General Manager regarding the Financial Statements - 30 June 2022.

Resolution 2022/166**Moved: Cr Victor Bartley****Seconded: Cr Robert Stutsel**

- 1. That Council's Financial Reports for the year ended 30 June 2022 be referred for audit.**
- 2. That the Mayor, Councillor, General Manager and the Responsible Accounting Officer be authorised to sign the Statement by Councillors and Management on the Financial Reports for the year ended 30 June 2022.**

Carried**17 ECONOMIC DEVELOPMENT DEPARTMENT**

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE**20.1 *** RONNY GIBBS 7S RUGBY LEAGUE AND NETBALL GALA DAY****File Number: C12.5-D5.2**

The Council had before it the report of the General Manager regarding the Ronny Gibbs 7s Rugby League and Netball Gala Day.

Resolution 2022/167**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That Council accede to the request to support the 25th Ronny Gibbs 7's tournament including the waiving of oval hire, marking of ovals and fees in respect of the hire of the PV Jandra at the maximum total cost of \$1,500.00.

Carried**21 ACTIVITY REPORTS****21.1 ACTIVITY REPORT - ENGINEERING SERVICES ROAD WORKS & WORKSHOP WORKS COMPLETED****File Number: E7.1**

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

Resolution 2022/168**Moved: Cr Lachlan Ford****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 Monday, 25 July 2022.

Carried

**21.2 ACTIVITY REPORT - 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 Activity Report - Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report.

Resolution 2022/169**Moved: Cr Lachlan Ford****Seconded: Cr Victor Bartley**

That Council note the information in the Parks & Gardens, Town Services and Water and Wastewater Engineering Services Department Activity Reports as presented to Council on Monday, 25 July 2022.

Carried**21.3 PLANNING, REGULATORY & ENVIRONMENTAL SERVICES - ACTIVITY REPORT****File Number: D3.1-A11.1-A8.1**

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

Resolution 2022/170**Moved: Cr Lachlan Ford****Seconded: Cr Victor Bartley**

That the information in the Planning, Regulatory & Environmental Services Activity Report as presented to Council on Monday, 25 July 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 2022/171**Moved: Cr Lachlan Ford****Seconded: Cr Victor Bartley**

That the information in the General Manager's Activity Report as presented to Council on Monday, 25 July 2022 be noted.

Carried**21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR JUNE 2022****File Number: L4.1**

The Council had before it the report of the Library Manager regarding the Library Manager's Activity Report for June 2022.

Resolution 2022/172**Moved: Cr Lachlan Ford****Seconded: Cr Victor Bartley**

That the information in the Library Manager's Report for June 2022 as presented to Council on Monday, 25 July 2022 be noted.

Carried

21.6 TOURISM & EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.3

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

Resolution 2022/173

Moved: Cr Lachlan Ford

Seconded: Cr Victor Bartley

That the information in the Tourism and Events Manager's Activity Report for June 2022 as presented to Council on Monday, 25 July 2022 be noted.

Carried

22 CLOSED SESSION

Nil

The Meeting closed at 10.25am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 August 2022.

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CHAIRPERSON