



MINUTES

Ordinary Council Meeting

22 August 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, 22 AUGUST 2022 AT 9.15AM**

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

IN ATTENDANCE: Leonie Brown (General Manager), Peter Brown (Manager Works), Melanie Milgate (Economic Development Manager), Brian Tickle (Acting Manager Corporate Services), Dwayne Willoughby (Manager Environmental 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:

Rhonda Carson, nee Howard Desley Clark Albert Hartnett Kathleen Smith

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

A request for Leave of Absence was received from Councillor Sally Davis who was absent from the meeting for personal reasons.

Resolution 2022/174

Moved: Cr Robert Stutsel

Seconded: Cr Victor Bartley

That the apology received from Cr Sally Davis be accepted and leave of absence granted.

Carried

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 reasons for such interest are that Cr Barton is a Committee Member of the Back O' Bourke Stampede Inc. and also an employee of the Department of Regional NSW who funds the program. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council separately 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 – Stronger Country Communities Fund. The reason for such interest is that Cr Barton is an employee of Department of Regional NSW who funds the program. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council separately consider Item 21.4 of the Agenda.

Cr Cec Dorrington declared a non-pecuniary interest in Item 20.1 of the Agenda – Bourke and District Garden Club – Request for Assistance. The reason for such interest is that Cr Dorrington is the Treasurer of the Bourke and District Garden Club. In making this declaration, Cr Dorrington advised that he would remain in the room during consideration of the matter, however, he would not be participating in the vote thereon.

7 MAYORAL MINUTE

7.1 MAYORAL MINUTE - MAYORAL ACTIVITIES
<p>File Number: M2.1</p> <p>The Council had before it the report of the Mayor regarding the Mayoral Minute - Mayoral Activities.</p>
<p>Resolution 2022/175</p> <p>Moved: Cr Barry Hollman</p> <p>That the information in the Mayoral Minute – Mayoral Activities as presented to Council on Monday, 22 August 2022 be noted.</p> <p style="text-align: right;">Carried</p>

7.2 MAYORAL MINUTE - WESTERN WEIRS STRATEGY**File Number: W3.1**

The Council had before it the report of the Mayor regarding the Mayoral Minute – Western Weirs Strategy. The Council reports having met, via audio visual link, Ms Ingrid Emery, Executive Director Project Interfaces and Program Management at Water Infrastructure NSW, NSW Department of Planning and Environment, in respect of the Weirs Strategy.

Resolution 2022/176**Moved: Cr Sarah Barton****Seconded: Cr Lachlan Ford**

1. That the status upgrade in respect of the Western Weirs Strategy as presented to Council by Ms Ingrid Emery, Water Infrastructure NSW on Monday, 22 August 2022 be noted.
2. That Council write to the Hon. Tanya Plibersek, MP, Federal Minister for the Environment and Water, and the Hon. Kevin Anderson, MP, State Minister for Land and Water seeking support and funding to progress the next stage of the Western Weir Strategy being the Final Business Case for the proposed upgrading of the Bourke Weir to improve town water supply security.

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 2022/177**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 22 August 2022 be adopted.

Carried**9 CONFIRMATION OF MINUTES****Resolution 2022/178****Moved: Cr Cec Dorrington****Seconded: Cr Sam Rice**

That the minutes of the Ordinary Council Meeting held on 25 July 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 2022/179**Moved: Cr Sam Rice****Seconded: Cr Robert Stutsel**

That the information in the Business Arising Report as presented to Council on Monday, 22 August 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 2022/180**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the information in the Calendar of Events Report as presented to Council on Monday, 22 August 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 2022/181**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the contents of the Information to Councillors Report as presented to Council on Monday, 22 August 2022 be noted.

Carried**13 ENGINEERING SERVICES DEPARTMENT**

Nil

14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

Nil

15 GENERAL MANAGER**15.1 OCTOBER COUNCIL MEETING CHANGE OF DATE****File Number: C12.1**

The Council had before it the report of the General Manager regarding the October Council Meeting Change of Date.

Resolution 2022/182**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the date of Councils October 2022 Ordinary Meeting be amended such that it be held on Monday, 31 October 2022.

Carried

15.2 DELIVERY PROGRAM REPORT 1 JULY 2021 TO 30 JUNE 2022**File Number: P4.2**

The Council had before it the report of the General Manager regarding the Delivery Program Report 1 July 2021 to 30 June 2022.

Resolution 2022/183**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That Council notes the activity progress against the actions contained in the 2021/2022 Delivery Program.

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 Acting Manager Corporate Services regarding the Bank Reconciliation & Statement of Bank Balances.

Resolution 2022/184**Moved: Cr Victor Bartley****Seconded: Cr Sam Rice**

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

Carried

16.2 * INVESTMENT REPORT AS AT 31 JULY 2022****File Number: F1.1**

The Council had before it the report of the Acting Manager Corporate Services regarding the Investment Report as at 31 July 2022.

Resolution 2022/185**Moved: Cr Victor Bartley****Seconded: Cr Sam Rice**

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

Carried**16.3 *** RATES WRITE OFF ASSESSMENT 02008-30000000-000****File Number: R2.5**

The Council had before it the report of the Revenue Officer regarding the Rates Write Off Assessment 02008-30000000-000.

Resolution 2022/186**Moved: Cr Victor Bartley****Seconded: Cr Sam Rice**

That as a result of the sale of Rates Assessment No. 02008-30000000-000 for the purposes of a National Park, Council deem the property non-rateable and in doing so write off rates levied for 2022/2023 in the amount of \$7,226.73.

Carried**17 ECONOMIC DEVELOPMENT DEPARTMENT**

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE**20.1 *** BOURKE & DISTRICT GARDEN CLUB - REQUEST FOR ASSISTANCE****File Number: C12.5-D5.2-B3.2**

The Council had before it the report of the General Manager regarding the Bourke & District Garden Club - Request for Assistance.

Resolution 2022/187**Moved: Cr Robert Stutsel****Seconded: Cr Lachlan Ford**

That Council support the application from the Bourke and District Garden Club for assistance comprising both in-kind and monetary (\$1,000) for the 2022/2023 Competitions up to an amount of \$2,000.00.

Carried

As per his Disclosure of Interest Cr Dorrington did not vote on this matter.

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 General Manager regarding the Activity Report - Engineering Services Road Works & Workshop - Works Completed.

Resolution 2022/188**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Monday, 22 August 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 2022/189**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That Council note the information in the Parks and Gardens, Town Services and Water and Wastewater Engineering Services Department Activity Reports as presented to Council on Monday, 22 August 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 2022/190**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the information in the Planning, Regulatory & Environmental Services Activity Report as presented to Council on Monday, 22 August 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 2022/191**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the information in the General Manager's Activity Report as presented to Council on Monday, 22 August 2022 be noted.

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

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

Resolution 2022/192**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the information in the Library Manager's Report for July 2022 as presented to Council on Monday, 22 August 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 2022/193**Moved: Cr Victor Bartley****Seconded: Cr Lachlan Ford**

That the information in the Tourism and Events Manager's Activity Report for July 2022 as presented to Council on Monday, 22 August 2022 be noted.

Carried**22 CLOSED SESSION**

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

Resolution 2022/194**Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

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 * Historical Land Transfer - 25 Mertin Street, Bourke**

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

22.2 * Outstanding Rates and Charges**

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

Carried

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

22.1 * HISTORICAL LAND TRANSFER - 25 MERTIN STREET, BOURKE****File Number: S3.1.2**

The Council had before it the report of the General Manager regarding the Historical Land Transfer - 25 Mertin Street, Bourke.

Resolution 2022/195**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

- 1. That Council proceed to accept the transfer of 25 Mertin St, Bourke from the Murdi Paaki Regional Housing Corporation into Councils ownership with such land being transferred to Council at no cost, with Council to pay all legal costs associated with the transfer.**
- 2. That any necessary documents relating to this land transfer be executed under the Common Seal of Council.**
- 3. That the documents and considerations in respect of this matter remain confidential to the Council.**

Carried**22.2 *** OUTSTANDING RATES AND CHARGES****File Number: P2.5-R2.15-R2.22-P9.3**

The Council had before it the report of the Acting Manager Corporate Services regarding the Outstanding Rates and Charges.

Resolution 2022/196**Moved: Cr Sam Rice****Seconded: Cr Robert Stutsel****Recommendation**

- 1. That Council notes the report on Outstanding Rates and Charges, Water Billing and Sundry Debtors owed to Council as at 30 June 2022.**
- 2. That the documents and considerations in respect of this matter remain confidential to the Council.**

Carried

Resolution 2022/197

Moved: Cr Sarah Barton

Seconded: Cr Cec Dorrington

That Council moves out of Closed Council into Open Council.

Carried

Open Council resumed at 10.02 am.

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 10.06 am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 September 2022.

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CHAIRPERSON