



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

**Date:** Monday, 28 November 2022  
**Time:** 9.15am  
**Location:** Bourke Shire Council  
29 Mitchell Street Bourke NSW

# **BUSINESS PAPER**

## **Ordinary Council Meeting**

### **28 November 2022**

**Leonie Brown**  
General Manager

Time	Event	Representative	Organisation
<b>9.00am</b>	Community Open Forum for members of the public to address Council		
<b>11.00am</b>	Monthly Update	Inspector Peter Walton	Central North Police District



# DECLARATION OF INTEREST FORM COUNCIL OFFICIAL

FOR USE AT COUNCIL AND COUNCIL MEETINGS

<b>NAME OF COUNCIL OFFICIAL DECLARING INTEREST:</b>
<b>ACTION PROPOSED:</b>
<p><b>Tick one box only:</b></p> <p><input type="checkbox"/> In my opinion, <b>my interest is pecuniary</b>, 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, <b>my interest is non-pecuniary but significant</b>. 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, <b>my interest is non-pecuniary and less than significant</b>. 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>
<b>COUNCIL OFFICIAL</b>
<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>
<b>GENERAL MANAGER – required for all declarations:</b>
<p>I have noted the above declaration and I note your opinion and/or the action you have proposed.</p> <p>Signed: _____ Date: _____</p>
<b>DEFINE YOUR INTEREST:</b>
<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>
<b>MATTER IN WHICH YOU HAVE AN INTEREST:</b> (Please provide full details, including item number on Council agenda)
<b>NAME OF THE INTEREST:</b>
<p>Be specific and include information such as:</p> <ul style="list-style-type: none"> <li>- The names of any person or organisation with which you have a relationship;</li> <li>- The nature of your relationship with the person or organisation;</li> <li>- 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 .</li> </ul>

<p><b>MANAGING LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS:</b></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><b>IS YOUR NON-PECUNIARY INTEREST LESS THAN SIGNIFICANT?</b></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><b>DEFINITIONS:</b></p> <p>A <b>PECUNIARY INTEREST</b> 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 <b>NON-PECUNIARY INTEREST</b> 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><b>MANAGING PECUNIARY INTERESTS:</b></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><b>MANAGING SIGNIFICANT NON-PECUNIARY INTERESTS:</b></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><b>MANAGING NON-PECUNIARY INTERESTS:</b></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"> <li>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;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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.</li> </ul>



**Statement of ethical obligations**

In accordance with Councils adopted Code of Meeting Practice (Clause 3.23), Councillors are reminded of their Oath or Affirmation of Office made under section 233A of the Local Government Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.



**Order Of Business**

<b>1</b>	<b>Opening Prayer .....</b>	<b>9</b>
<b>2</b>	<b>Acknowledgement of Country .....</b>	<b>9</b>
<b>3</b>	<b>Remembrance .....</b>	<b>9</b>
<b>4</b>	<b>Apologies and Applications for Leave of Absence .....</b>	<b>9</b>
<b>5</b>	<b>Attendance By Audio Visual Link By Councillors .....</b>	<b>9</b>
<b>6</b>	<b>Disclosures of Interest .....</b>	<b>9</b>
<b>7</b>	<b>Mayoral Minute .....</b>	<b>10</b>
	7.1 Mayoral Minute - Mayoral Activities .....	10
<b>8</b>	<b>Starring of Items.....</b>	<b>11</b>
<b>9</b>	<b>Confirmation of Minutes .....</b>	<b>11</b>
<b>10</b>	<b>Notices of Motion.....</b>	<b>34</b>
	Nil	
<b>11</b>	<b>Rescission Motions .....</b>	<b>34</b>
	Nil	
<b>12</b>	<b>Business Arising.....</b>	<b>35</b>
	12.1 *** Business Arising .....	35
	12.2 Calendar of Events.....	49
	12.3 Information to Councillors .....	50
<b>13</b>	<b>Engineering Services Department .....</b>	<b>52</b>
	Nil	
<b>14</b>	<b>Environmental Services &amp; Development Department.....</b>	<b>53</b>
	14.1 *** Draft Planning Proposal .....	53
	14.2 Additional Purposes to Crown Reserves 81309 and 81825 .....	91
	14.3 *** 2022/2023 Adopted Fees and Charges .....	93
	14.4 State of The Environment Report .....	94
<b>15</b>	<b>General Manager.....</b>	<b>99</b>
	15.1 *** Review of Organisational Structure .....	99
<b>16</b>	<b>Corporate Services Department .....</b>	<b>102</b>
	16.1 *** Bank Reconciliation & Statement of Bank Balances .....	102
	16.2 *** Investment Report as at 31 October 2022 .....	104
	16.3 *** Code of Conduct - Annual Summary .....	107
<b>17</b>	<b>Economic Development Department .....</b>	<b>109</b>
	Nil	

<b>18</b>	<b>Delegates and Councillors Reports.....</b>	<b>109</b>
	Nil	
<b>19</b>	<b>Policies.....</b>	<b>109</b>
	Nil	
<b>20</b>	<b>Précis of Correspondence .....</b>	<b>109</b>
	Nil	
<b>21</b>	<b>Activity Reports.....</b>	<b>110</b>
21.1	Activity Report - Engineering Services Road Works & Workshop - Works Undertaken.....	110
21.2	Activity Report - Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report.....	113
21.3	Planning, Regulatory & Environmental Services - Activity Report.....	120
21.4	General Manager's Activity Report .....	122
21.5	Library Manager's Activity Report for October 2022 .....	135
21.6	Tourism and Events Manager's Activity Report .....	137
<b>22</b>	<b>Closed Session.....</b>	<b>147</b>
	Nil	

- 1 OPENING PRAYER**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 REMEMBRANCE**
- 4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**
- 5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS**
- 6 DISCLOSURES OF INTEREST**

**7 MAYORAL MINUTE**

**7.1 MAYORAL MINUTE - MAYORAL ACTIVITIES**

**File Number:** M2.1  
**Author:** Barry Hollman, Mayor  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

The Activities of the Mayor from 27 October 2022 to 23 November 2022 are as follows:

Date	Meeting	Location
31/10/2022	Bourke Shire Council Meeting	Shire Chambers
11/11/2022	Remembrance Day Service	Bourke Cenotaph
16/11/2022	Far North West Joint Organisation Board Meeting	Virtual Meeting via Teams
17/11/2022	NSW Joint Organisations Chairs Forum	Parliament House, Sydney

**Recommendation**

**That the information in the Mayoral Minute – Mayoral Activities as presented to Council on Monday, 28 November 2022 be noted.**

**8 STARRING OF ITEMS**

**9 CONFIRMATION OF MINUTES**

Ordinary Council Meeting - 31 October 2022



# **MINUTES**

**Ordinary Council Meeting**

**31 October 2022**



## Order Of Business

<b>1</b>	<b>Opening Prayer</b> .....	<b>4</b>
<b>2</b>	<b>Acknowledgement of Country</b> .....	<b>4</b>
<b>3</b>	<b>Remembrance</b> .....	<b>4</b>
<b>4</b>	<b>Apologies and Applications for Leave of Absence</b> .....	<b>4</b>
<b>5</b>	<b>Attendance By Audio Visual Link By Councillors</b> .....	<b>5</b>
<b>6</b>	<b>Disclosures of Interest</b> .....	<b>5</b>
<b>7</b>	<b>Mayoral Minute</b> .....	<b>6</b>
	7.1 Mayoral Minute - Mayoral Activities .....	6
<b>8</b>	<b>Starring of Items</b> .....	<b>6</b>
<b>9</b>	<b>Confirmation of Minutes</b> .....	<b>7</b>
<b>10</b>	<b>Notices of Motion</b> .....	<b>7</b>
	Nil	
<b>11</b>	<b>Rescission Motions</b> .....	<b>7</b>
	Nil	
<b>12</b>	<b>Business Arising</b> .....	<b>7</b>
	12.1 *** Business Arising .....	7
	12.2 Calendar of Events.....	8
	12.3 Information to Councillors .....	8
<b>13</b>	<b>Engineering Services Department</b> .....	<b>8</b>
	Nil	
<b>14</b>	<b>Environmental Services &amp; Development Department</b> .....	<b>9</b>
	14.1 Food Surveillance Activity Report 2021/2022.....	9
	14.2 Draft Far West Regional Plan 2041 .....	9
<b>15</b>	<b>General Manager</b> .....	<b>10</b>
	15.1 Disclosure of Interest in Written Returns .....	10
	15.2 *** Christmas - New Year Closure .....	10
	15.3 *** Geographical Names Board - The Pound Yard .....	11
<b>16</b>	<b>Corporate Services Department</b> .....	<b>11</b>
	16.1 *** Bank Reconciliation & Statement of Bank Balances .....	11
	16.2 *** Investment Report as at 30 September 2022 .....	12
	16.3 *** 2021/2022 Audited Financial Statements and Auditors Reports .....	12
	16.4 *** Quarterly Budget Review to 30 September 2022 .....	13
<b>17</b>	<b>Economic Development Department</b> .....	<b>13</b>
	Nil	

<b>18</b>	<b>Delegates and Councillors Reports.....</b>	<b>13</b>
	Nil	
<b>19</b>	<b>Policies.....</b>	<b>13</b>
	Nil	
<b>20</b>	<b>Précis of Correspondence .....</b>	<b>13</b>
	Nil	
<b>21</b>	<b>Activity Reports.....</b>	<b>14</b>
21.1	Activity Report - Engineering Services Road Works & Workshop - Works Undertaken.....	14
21.2	Activity Report - Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report.....	14
21.3	Planning, Regulatory & Environmental Services Activity Report.....	15
21.4	General Manager's Activity Report .....	15
21.5	Library Manager's Activity Report for September 2022 .....	15
21.6	Tourism & Events Manager's Activity Report .....	16
<b>22</b>	<b>Closed Session.....</b>	<b>17</b>
22.1	*** Proposed Integrated Primary Health Care Centre .....	18
22.2	*** Sale of Land for Unpaid Rates and Charges .....	19
22.3	*** Construction of New Cell - Bourke Waste Management Facility Tender Number 02/23 .....	20
22.4	*** Works at Bourke Airport.....	21

**MINUTES OF SHIRE OF BOURKE  
ORDINARY COUNCIL MEETING  
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW  
ON MONDAY, 31 OCTOBER 2022 AT 9.15AM**

**PRESENT:** Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sally Davis, Cr Cec Dorrington, Cr Sam Rice, Cr Grace Ridge (via Audio Visual Link), Cr Nathan Ryan, Cr Robert Stutsel

**IN ATTENDANCE:** Leonie Brown (General Manager), Paul Flanagan (Manager Roads Services), Melanie Milgate (Economic Development Manager), 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:

Donna-Lee Churchward	Mick Cullenward	Vernette Duffie
Volker "Snow" Freese	Shirley Honeyman	June Mathews
Joan McDonough nee Mason	Tanya McKellar	Shirley Nicholson nee Mackay

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

Requests for a Leave of Absence were received from Councillor Sarah Barton and Councillor Lachlan Ford who were absent from the meeting for personal reasons.

**Resolution 2022/226**

**Moved: Cr Cec Dorrington**

**Seconded: Cr Victor Bartley**

**That the apologies received from Cr Sarah Barton and Cr Lachlan Ford be accepted and leave of absence granted.**

**Carried**

## 5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS

A request to attend the meeting via Audio Visual Link was received from Councillor Grace Ridge who was unable to attend the meeting given her inability to travel due to overnight rain and resulting road conditions.

### **Resolution 2022/227**

**Moved: Cr Sally Davis**

**Seconded: Cr Cec Dorrington**

**That Cr Grace Ridge be permitted to attend the meeting via audio-visual link due to her inability to attend in person given her inability to travel due to overnight rain and resulting road conditions.**

**Carried**

## 6 DISCLOSURES OF INTEREST

Cr Victor Bartley declared a less than significant non pecuniary interest in Item 15.3 of the Agenda – Geographical Names Board – The Pound Yard. The reason for such interest is that Cr Bartley previously resided at the Pound Yard. In making this declaration Cr Bartley advised that he would remain in the Chamber but would not contribute when Council considered this matter.

Cr Victor Bartley declared a pecuniary interest in Item 22.2 of the Agenda – Proposed Integrated Primary Health Care Centre. The reason for such interest is that Cr Bartley is a Director on the Board of Management for the Bourke Aboriginal Corporation Health Service. In making this declaration, Cr Bartley advised he would leave the Chamber and be out of sight when Council considered this matter.

Cr Sally Davis declared a pecuniary interest in Item 12.1 of the Agenda – Business Arising, North Bourke Storm Water Drainage. The reason for such interest is that Cr Davis owns land adjacent to the land the subject of the report and has a friendship with the landowner (Mr G Seiler). In making this declaration Cr Davis advised she would leave the Chamber and be out of sight should Council separately consider Item 12.1 of the Agenda.

Cr Grace Ridge declared a pecuniary interest in Item 12.1 of the Agenda – Business Arising, North Bourke Storm Water 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 this declaration Councillor Ridge advised that she would leave the Chamber and be out of sight should Council separately consider Item 12.1 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 2022/228**

**Moved: Cr Barry Hollman**

**Seconded: Cr Sally Davis**

**That the information in the Mayoral Minute – Mayoral Activities as presented to Council on Monday, 31 October 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. The following additional reports were identified by Council to be starred for individual consideration.

<b>Item No</b>	<b>Name of Report</b>	<b>Officer</b>
14.2	Draft Regional Plan	Dwayne Willoughby
21.1	Activity Report – Engineering Services Road Works and Workshop – Works Undertaken	Paul Flanagan

#### **Resolution 2022/229**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**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, 31 October 2022 be adopted save and except for Item No 14.2 and Item No 21.1 of the Agenda, with such items to be considered seperately.**

**Carried**

**9 CONFIRMATION OF MINUTES**

**Resolution 2022/230**

**Moved: Cr Sally Davis**

**Seconded: Cr Cec Dorrington**

**That the minutes of the Ordinary Council Meeting held on 26 September 2022 taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger except in respect of Agenda Item 3 – Remembrance, it be noted that the name Suzanne Mansfield should be corrected to read Suzanne Mansell and the final sentence on Page 20 of the Minutes be corrected such that it reads “The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 31 October 2022.”**

**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 2022/231**

**Moved: Cr Cec Dorrington**

**Seconded: Cr Robert Stutsel**

**That the information in the Business Arising Report as presented to Council on Monday, 31 October 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 2022/232**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**That the information in the Calendar of Events Report as presented to Council on Monday, 31 October 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 2022/233**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**That the contents of the Information to Councillors Report as presented to Council on Monday, 31 October 2022 be noted.**

**Carried**

## **13 ENGINEERING SERVICES DEPARTMENT**

Nil

**14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT**

**14.1 FOOD SURVEILLANCE ACTIVITY REPORT 2021/2022**

**File Number: H1.5**

The Council had before it the report of the Manager Environmental Services regarding the Food Surveillance Activity Report 2021/2022.

**Resolution 2022/234**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**That the information contained within the Food Surveillance Activity Report be noted by Council.**

**Carried**

**14.2 DRAFT FAR WEST REGIONAL PLAN 2041**

**File Number: T1.5**

The Council had before it the report of the Manager Environmental Services regarding the Draft Far West Regional Plan 2041.

**Resolution 2022/235**

**Moved: Cr Sam Rice**

**Seconded: Cr Robert Stutsel**

**That Council note the information contained within the Draft Far West Regional Plan 2041 Report.**

**Carried**



**15 GENERAL MANAGER**

**15.1 DISCLOSURE OF INTEREST IN WRITTEN RETURNS**

**File Number: C11.7,S2.29**

The Council had before it the report of the General Manager regarding the Disclosure of Interest in Written Returns.

**Resolution 2022/236**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

- 1. That the tabling of the Disclosure of Interest Returns at the Ordinary Meeting of Council held on 31 October 2022, as detailed in the report of the General Manager, be noted.**
- 2. That as per Information Access Guideline 1, as issued by the NSW Information Commissioner, Council proceed to publish the tabled Disclosure of Interest Returns of Councillors and Designated Persons on the Council website, on the basis of addresses and signatures on each Return being redacted prior to publication.**

**Carried**

**15.2 \*\*\* 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 2022/237**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

- 1. That Councils Shire Office and Library close at 2.30pm on Friday, 23 December 2022 and re-open at their respective regular opening times on Monday, 9 January 2023.**
- 2. That Councils other facilities including the Memorial Swimming Pool, Waste Depot and Back O' Bourke Exhibition Centre close for Christmas Day on Sunday, 25 December 2022, 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.**
- 3. 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.**
- 4. That the community be advised of Councils Christmas/New Year holiday arrangements.**

**Carried**

**15.3 \*\*\* GEOGRAPHICAL NAMES BOARD - THE POUND YARD**

**File Number: A2.1, A2.2.16, H3.3**

The Council had before it the report of the General Manager regarding the Geographical Names Board - The Pound Yard.

**Resolution 2022/238**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sally Davis**

**That Council advise the NSW Geographical Names Board that whilst it raises no objection to the name "Pound Yard", it is considered imperative that the Board consult with appropriate Aboriginal persons before any decision is ultimately made.**

**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 2022/239**

**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 September 2022 be noted.**

**Carried**

**16.2 \*\*\* INVESTMENT REPORT AS AT 30 SEPTEMBER 2022**

**File Number: F1.1**

The Council had before it the report of the Acting Manager Corporate Services regarding the Investment Report as at 30 September 2022.

**Resolution 2022/240**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

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

**Carried**

**16.3 \*\*\* 2021/2022 AUDITED FINANCIAL STATEMENTS AND AUDITORS REPORTS**

**File Number: A13.2**

The Council had before it the report of the General Manager regarding the 2021/2022 Audited Financial Statements and Auditors Reports. The Council reports having met, via audio-visual link, with Mr Manuel Moncada from the NSW Audit Office and Mr Brett Hangar from Nexia Australia Accountants in respect of this matter.

**Resolution 2022/241**

**Moved: Cr Cec Dorrington**

**Seconded: Cr Sally Davis**

**That the 2021/2022 Bourke Shire Council Audited Financial Statements and Auditors Report as presented to Council on Monday, 31 October 2022, be adopted.**

**Carried**

**16.4 \*\*\* QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2022**

**File Number: F1.1, F1.6**

The Council had before it the report of the Acting Manager Corporate Services regarding the Quarterly Budget Review to 30 September 2022.

**Resolution 2022/242**

**Moved: Cr Cec Dorrington**

**Seconded: Cr Sam Rice**

- 1. That the document entitled “Quarterly Budget Review Statement – September 2022” be received and noted**
- 2. That the variations of income and expenditure as identified in the “Quarterly Budget Review Statement – 2022” be adopted.**

**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 ACTIVITY REPORT - ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS UNDERTAKEN**

**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 Undertaken.

**Resolution 2022/243**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sally Davis**

**That Council note the information in the Roads Department Road Works and Workshop Activity Report as presented to Council on Monday, 31 October 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 2022/244**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**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, 31 October 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 2022/245**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**That the information in the Planning, Regulatory and Environmental Services Activity Report as presented to Council on Monday, 31 October 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 2022/246**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

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

**Carried**

### **21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR SEPTEMBER 2022**

**File Number: L4.1**

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

**Resolution 2022/247**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**That the information in the Library Manager's Report for September 2022 as presented to Council on Monday, 31 October 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 Coordinator Tourism Operations regarding the Tourism & Events Manager's Activity Report.

**Resolution 2022/248**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

**That the information in the Tourism and Events Managers Report for September 2022 as presented to Council on Monday, 31 October 2022 be noted.**

**Carried**

## 22 CLOSED SESSION

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

### **Resolution 2022/249**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sally Davis**

**That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:**

#### **22.1 \*\*\* Proposed Integrated Primary Health Care Centre**

**This matter is considered to be confidential under Section 10A(2) - (c) 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 person with whom the Council is conducting (or proposes to conduct) business.**

#### **22.2 \*\*\* Sale of Land for Unpaid Rates and Charges**

**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).**

#### **22.3 \*\*\* Construction of New Cell - Bourke Waste Management Facility Tender Number 02/23**

**This matter is considered to be confidential under Section 10A(2) - (c) 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 person with whom the Council is conducting (or proposes to conduct) business.**

#### **22.4 \*\*\* Works at Bourke Airport**

**This matter is considered to be confidential under Section 10A(2) - (c) 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 person with whom the Council is conducting (or proposes to conduct) business.**

**Carried**

Council proceeded into closed session with the livestreaming of the meeting being paused at 9.57am.



At this juncture, Cr Victor Bartley left the meeting, the time being 9:58 am.

**22.1 \*\*\* PROPOSED INTEGRATED PRIMARY HEALTH CARE CENTRE**

**File Number: A11.1, H1.1, H1.15**

The Council had before it the report of the General Manager regarding the Proposed Integrated Primary Health Care Centre.

**Resolution 2022/250**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sam Rice**

- 1. That Council proceed to sell Lots 7,8,9 and 10 DP 35797 Mitchell St, Bourke at a combined price of \$45,000 (ex GST) to the Bourke Aboriginal Corporation Health Service.**
- 2. That any necessary documents be executed under the Common Seal of Council.**
- 3. That the documents and considerations in respect of this matter remain confidential to Council.**

**Carried**

At this juncture, Cr Victor Bartley returned to the meeting, the time being 10:00 am.

**22.2 \*\*\* SALE OF LAND FOR UNPAID RATES AND CHARGES**

**File Number: R2.10**

The Council had before it the report of the General Manager regarding the Sale of Land for Unpaid Rates and Charges.

**Resolution 2022/251**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sally Davis**

- 1. That the land listed in Attachment 1 herewith be included in a sale of land for unpaid rates and charges by way of public auction, or by private treaty subsequent to such public auction, pursuant to Section 713 of the Local Government Act 1993.**
- 2. That the General Manager be authorised to perform the necessary actions to facilitate the conduct of such public auction, including the authority to determine reserve prices for the various allotments, negotiate the terms of the sale of any land listed in Attachment 1, even if the reserve price is not reached.**
- 3. That the General Manager be authorised to apply the proceeds of any such sales and to write off any rates, charges or costs incurred through the sale of land process which are not recovered by the sale.**
- 4. That the General Manager be authorised, and Council reserves the right, to withdraw any property from sale for technical or legal reasons.**
- 5. That the Centre for Sustainable Debt Recovery Pty Ltd, t/as Recoupa, be appointed to administer the sale on Council's behalf.**
- 6. That the General Manager be requested to review the various properties as to them having any strategic benefit to Council, for a further report to Council, if required.**
- 7. That the Mayor and General Manager be authorised to execute all relevant documentation to affect such sales.**
- 8. That the documents and considerations in respect of this matter remain confidential to the Council.**

**Carried**

**22.3 \*\*\* CONSTRUCTION OF NEW CELL - BOURKE WASTE MANAGEMENT FACILITY  
TENDER NUMBER 02/23**

**File Number: W1.3**

The Council had before it the report of the Manager Environmental Services regarding the Construction of New Cell - Bourke Waste Management Facility Tender Number 02/23.

**Resolution 2022/252**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sally Davis**

- 1. That the contract for the construction of landfill Cell No 5 at the Bourke Waste Management Facility, being Tender Number 02/23, be awarded to Karl Macdonald Cutting Edge Excavation and Haulage at a tendered price of \$196,838 (Ex GST).**
- 2. That the necessary documents be executed under the Common Seal of Council.**
- 3. That the documents and considerations in respect of this matter remain confidential to Council.**

**Carried**

## **22.4 \*\*\* WORKS AT BOURKE AIRPORT**

**File Number: A6.17**

The Council had before it the report of the Manager Works regarding the Works at Bourke Airport.

### **Resolution 2022/253**

**Moved: Cr Sally Davis**

**Seconded: Cr Sam Rice**

- 1. That Council proceed to engage CJC Management Pty Ltd to undertake Package 1 Works and if required, Package 2 Works, as per the scope of works as detailed in the report herewith, and at a price of \$7,750 (Ex GST) and \$45,000 (Ex GST) respectively, relating to the Pavement Condition Assessment of the Bourke Airport.**
- 2. That the General Manager be requested to take the necessary action to source a contractor to undertake the resealing and crack sealing works at the Bourke Airport, to meet the requirements of Section 55 of the Local Government Act regarding Tendering, for a report to Council in due course regarding the engagement of a contractor.**
- 3. That pending the outcome of the Condition Assessment Report and consideration of the findings, the General Manager be requested to seek pricing for a higher specified sealing on the Bourke airport Runway for report to Council, if required.**
- 4. That it be noted that Council has sourced grant funding towards the resealing project under the Australian Governments Rural Airports Upgrading Program and that funding of up to \$260,000 be sourced from Councils Infrastructure Renewal Reserve towards the resealing and pavement assessment projects.**
- 5. That the documents and considerations in respect of this matter remain confidential to Council.**

**Carried**

### **Resolution 2022/254**

**Moved: Cr Robert Stutsel**

**Seconded: Cr Sally Davis**

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

**Carried**

Open council resumed at 10.20am.

**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 10.25am.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 November 2022.**

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**CHAIRPERSON**

**10 NOTICES OF MOTION**

Nil

**11 RESCISSION MOTIONS**

Nil

## 12 BUSINESS ARISING

**12.1 \*\*\* BUSINESS ARISING**

**File Number:** C12.1  
**Author:** Leonie Brown, General Manager  
**Authoriser:** Leonie Brown, 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	1. Continue to lobby Government – matter evolving. 2. Issue of impact of the Biodiversity Act recently discussed at meeting of the Alliance of Western Councils. 3. Meeting held with Alliance of Western Councils and Paul Scully, Shadow Minister for Planning, 1 September to provide an update on the impact if the Biodiversity Act. 4. Matter continues to be pursued by Western Alliance on behalf of member Councils.

427/2018	PROPOSED CHANGE OF MANAGEMENT OF THE PCYC
RESPONSIBLE OFFICER	LEONIE BROWN - GENERAL MANAGER
FILE NO	L1.17-Y1.7-LD-L11.14.3

DECISION	ACTION TAKEN
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<p>That the General Manager prepare a detailed report in relation to the matter, including the seeking of legal advice if necessary</p>	<ol style="list-style-type: none"> <li>1. In progress.</li> <li>2. Teleconference held 20/08/2020.</li> <li>3. Correspondence sent to PCYC 25/8/20 and followed up for response 20/10/20 &amp; 16/11/2020.</li> <li>4. Matter further discussed with Crown Lands staff on 09/03/2021 for their contact with PCYC.</li> <li>5. Further discussions held in July 2021 with Crown Lands in regard to their contact with PCYC with correspondence sent to PCYC as a follow up to discussions.</li> <li>6. PCYC have advised that as a result of internal management changes they wish to defer discussions on land management till mid-2022.</li> <li>7. No further approaches made by PCYC re land management matter.</li> </ol>
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156/2019	CONFIDENTIAL – CONSTRUCTION OF SEWERAGE TREATMENT PLANT FACILITIES
RESPONSIBLE OFFICER	PETER BROWN - MANAGER OF WORKS
FILE NO	S3.2.3
<b>DECISION</b>	<b>ACTION TAKEN</b>
<p>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</p>	<ol style="list-style-type: none"> <li>1. Ongoing.</li> <li>2. Water use study near completion. Will then make application for additional funding.</li> <li>3. Council currently negotiating to return funding and complete a further scope. To reapply when completed.</li> </ol>

274/2019	DROUGHT – WATER UPDATE
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	W2.2.9 – W2.2.9.1
<b>DECISION</b>	<b>ACTION TAKEN</b>
<p>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</p>	<ol style="list-style-type: none"> <li>1. Letter sent &amp; meeting held.</li> <li>2. State Government commits to preparation of Western Weirs Strategy.</li> <li>3. Teleconference involving staff and Councillors held with State Water on 22/9/2020 re Strategy.</li> <li>4. Meeting held with DPIE representatives on 10/11/2020 &amp; 11/11/2020.</li> <li>5. Further briefings on Strategy held 10/02/2021 and 24/05/2021.</li> </ol>



6. Discussions held by GM with Jim Betts in July 2021 Secretary, DPIE, in regard 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.
8. Meeting held DPIE 23/11/2021 with Jim Bently and his team via Video conference regarding Better Baaka Better Bidgee project.
9. Meeting held in December 2021 with Andrew Lavelle regarding the Weir upgrade at Bourke and connectivity strategy.
10. Contact made with Minister Pavey's Office re concerns regarding potential removal of downstream weirs.
11. GM and MCS met with DPIE officers undertaking Western Regional Water Strategy consultation in Bourke on 8 March 2022 raising concern at the potential loss of downstream weirs.
12. Contact made in March 2022 with Andrew Lavelle of DPIE re weir progress. Advised that Western Weirs project is progressing following completion of Strategic Business Case. Advised that he will be seeking to have further conversations re weirs downstream.
13. Meeting held with Graham Attenborough and Jason Gordon of DPIE on 15 March 2022 re all things water including weir.
14. Mayor, Mark Riley and Leonie Brown attended the DPIE Forum at Bourke Bowling Club on 30 June 2022 re Western Region Water Strategy and Barwon-Darling Water Sharing Plan and Floodplain Harvesting licencing.
15. Submissions subsequently made re increasing Bourke Weir height and retention of downstream weirs.
16. Mayor/GM met with Hon. Tanya Plibersek, MP Federal Minister for the Environment and Water at Alliance of Western Council Meeting at Narromine on 19/08/2022.
17. Ingrid Emery, Executive Director Project Interfaces and Program Management

	<p>Water Infrastructure to provide update to Councillors on 22 August 2022 – No State or Federal Funding for Final Business Case Study.</p> <p>18. Refer Council Resolution Clause 2022/176 herewith for further update.</p>
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2020/111	DUAL NAMING OF THE DARLING RIVER – DARLING RIVER BAAKA
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	R6.5

DECISION	ACTION TAKEN
<p>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>	<ol style="list-style-type: none"> <li>1. Ongoing. Geographical Names Board GNB contacted.</li> <li>2. Investigations are continuing by GNB.</li> <li>3. GNB advised in July 2021 that it would be undertaking consultation in August 2021 in regard to dual name proposal.</li> <li>4. GNB subsequently advised in August that due to COVID the consultations will now be undertaken in 2022.</li> <li>5. Meeting was to be held with GNB on 22 June 2022 however was postponed by GNB till “next month” with a date yet to be suggested.</li> <li>6. Meeting scheduled for 19 July 2022 postponed – new date yet to be confirmed.</li> <li>7. New meeting date proposed for 11 October 2022.</li> <li>8. Representatives of NSW GNB attended Council on 11 October 2022 and met with available Councillors and relevant staff re naming matter.</li> <li>9. No further advice received from GNB, to date.</li> </ol>

2020/236	14.2 BOURKE AIRPORT DEVELOPMENT PROPOSAL
RESPONSIBLE OFFICER	PETER BROWN – MANAGER WORKS
FILE NO	A6.1

DECISION	ACTION TAKEN
<p>That Council seeks 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.</p>	<p>Brief prepared, quotations to be invited.</p>

2020/325 & 326	REVIEW OF CAPITAL WORKS PROGRAM 2019/2020 AND REALLOCATION OF FUNDS – ITEM 15.5 - MOUNT OXLEY
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	R2.5
<b>DECISION</b>	<b>ACTION TAKEN</b>
<ol style="list-style-type: none"> <li>1. That Council notes the report on the responsibility and current condition of the access road to the summit of Mount Oxley.</li> <li>2. That Council notes the status of telecommunication infrastructure located atop Mount Oxley.</li> <li>3. That following a Title Search discussion 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.</li> <li>4. That Council investigates 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.</li> </ol>	<ol style="list-style-type: none"> <li>1. Extensive title searches have been completed.</li> <li>2. Liability issues being pursued by Booth Brown Legal for further report.</li> <li>3. Meeting held with Mr &amp; Mrs Stalley on 10 December 2020.</li> <li>4. Risk review undertaken by Council’s insurers on 16/03/21. Awaiting advice to allow instructions to be issued by Booth Brown Legal to prepare licence documentation.</li> <li>5. Discussions held with NSW Telco Authority re potential for funding to assist with road upgrade. Costs advised. No funding available.</li> <li>6. Further discussions to be held with owners of Mt Oxley site.</li> </ol>

2019/439 & 2021/33	NORTH BOURKE BRIDGE REHABILITATION CONCEPT PLAN
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	B6.1
<b>DECISION</b>	<b>ACTION TAKEN</b>
<ol style="list-style-type: none"> <li>1. Council continues to apply for funding to undertake the project</li> <li>2. Council commits 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.</li> </ol>	<ol style="list-style-type: none"> <li>1. Ongoing.</li> <li>2. Letter received from Minister Toole 11/11/2020 advising upcoming funding opportunities for bridge.</li> <li>3. Funds as resolved reserved in Councils accounts.</li> <li>4. Application under Building Better Regions Fund lodged 11/02/2021. Application unsuccessful.</li> <li>5. Strategy prepared for investigation, assessment and restoration of bridge for input into Tourism Grant Application.</li> <li>6. Application lodged in August 2021. No response to date.</li> <li>7. Representations made to Member for Barwon, Roy Butler MP regarding funding for Bridge.</li> <li>8. Further application under Building Better Regions Fund lodged February 2022.</li> <li>9. Council resolved 25 February 2022 to allocate funding of \$200,000 to engage a</li> </ol>

	<p>structural engineer to prepare documentation to allow Council to invite tenders for restoration of the bridge.</p> <p>10. Draft brief prepared and with Public Works Advisory (PWA) for review.</p> <p>11. Quote obtained from PWA with further discussions to be held.</p> <p>12. Further Grant funding application for design funding lodged with NSW Government in July 2022.</p> <p>13. Councils Grant Funding application was successful. Still awaiting Deed for execution.</p> <p>14. Council successful in receiving Grant Funding of \$200,000 from Transport for NSW, Active Transport: Get NSW Active Program 2022/23. Development of final design brief with PWA progressing.</p>
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2021/355	ROAD CLASSIFICATION REVIEW
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	R7.1, R7.4.3

DECISION	ACTION TAKEN
<p>1. That Council provide a submission to the Independent Panel on Road Classification Review and Regional Road Transfer proposing that ownership of the Bourke – Milparinka Rd (Wanaaring Rd) be transferred to the NSW Government, as a minimum.</p> <p>2. That the transfer of any Regional Roads to Government in the Bourke Shire being on the basis of Council entering into a contract with Government which would see Council continuing to undertake both improvement works, and the necessary programmed and emergency maintenance works on the transferred roadway(s).</p> <p>3. That Council also provides a submission to the Independent Panel on Road Classification Review and Regional Road Transfer proposing the reclassification from local road to regional road status of the following roads:</p> <ul style="list-style-type: none"> <li>• RLR 5 – Caronga Peak to Wilga Downs (23km / no bridge);</li> <li>• RLR50 - Moleyarrah Road – Wanaaring to Hungerford (86.82km / no bridge);</li> <li>• RLR44 – Janina Road – Louth to Wanaaring (85.7km / no bridge);</li> <li>• RLR49 – West Culgoa Road – Bourke to Weilmoringle</li> </ul>	<p>1. Submission to Review Panel prepared and submitted.</p> <p>2. Additional information and financial data requested for consideration 23 August 2022. Information provided.</p> <p>3. No Further information to date.</p>

(82.82km / single lane bridge).	
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2022/11	EMPLOYMENT ZONE REFORM		
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY - MANAGER ENVIRONMENTAL SERVICES		
FILE NO	T5.1		
<b>DECISION</b>		<b>ACTION TAKEN</b>	
That the proposal to permit business premises, with consent, in the R1 General Residential Zone of the Bourke Local Environmental Plan be endorsed for the purposes of preparing a Planning Proposal for further consideration by Council in due course.		Matter proceeding with recommendation regarding Planning Proposal included in November Council Meeting Agenda.	

2022/ 96	NORTH BOURKE STORMWATER DRAINAGE		
RESPONSIBLE OFFICER	LEONIE BROWN - GENERAL MANAGER		
FILE NO	D6.1, D6.2, V 1.6		
<b>DECISION</b>		<b>ACTION TAKEN</b>	
<ol style="list-style-type: none"> <li>1. That the information in the report of the General Manager from March 2022 be noted.</li> <li>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.</li> <li>3. That the Mayor and General Manager be requested to brief Mr G Seiler on the progress of this matter.</li> <li>4. That the documents and considerations in respect of this matter remain confidential to Council.</li> </ol>		<ol style="list-style-type: none"> <li>1. Investigations into land proceeding.</li> <li>2. Mayor and GM have briefed Mr Seiler.</li> <li>3. Land to west of subject site reviewed by environmental consultant and is considered to be an undesirable location for the construction of stormwater retention infrastructure due to the multitude of environmental, practical and physical constraints.</li> <li>4. Further update meeting held in June 2022 with Mr Seiler involving Mayor, Deputy Mayor and Messrs Riley and Brown.</li> <li>5. Monthly progress reports to be provided to Mr Seiler by Council.</li> <li>6. Structural Engineer engaged by Insurers inspected property on 8 September 2022.</li> <li>7. Meeting held with landowners to the north of Warrego Street with a view to a portion of this land being acquired and utilised for the construction of a detention pond. Further information being sought for a future meeting.</li> <li>8. Further information received with another meeting with landowners to the north of Warrego Street to be arranged.</li> </ol>	

2022/ 115	RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR COUNCILS
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	R5.1

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>1. That Council join with the Far North West Joint Organisation and its member Councils in establishing a Shared Audit Risk and Improvement Committee in accordance with section 428B of the Local Government Act 1993.</li> <li>2. That Council delegate authority to the Far North West Joint Organisation to appoint the chair and two (2) independent members to form the shared Audit Risk And Improvement Committee to serve the Far North West Joint Organisation and all three member Councils.</li> <li>3. That Council appoint a Councillor to serve as the non-voting board member on the ARIC for this Council only.</li> <li>4. That Council adopt the Draft Terms of Reference developed for the operation of the Audit Risk and Improvement noting the initial revised term to cater for the shorter period to be served by the current Council and the fact that there is no current need for the Chair to be pre-qualified at this stage.</li> <li>5. That Council note the Expression of Interest document developed by the Far North West Joint Organisation for distribution to potential applicants for persons to serve as the Chair or one of the two (2) independent Committee Members including the fees payable to the Chair and Committee members.</li> <li>6. That applications as detailed in the Expression of Interest document be called for by the placement of advertisements in the local papers circulating in each of the towns within the FNWJO area together with the websites of each of the member Councils to provide local residents the opportunity to apply to become a member of the Shared Committee if they are suitably qualified and wish to apply.</li> </ol>	<ol style="list-style-type: none"> <li>1. General Manager advised FNWJO of Council’s resolution.</li> <li>2. Manager Corporate Services take the necessary action to implement Council’s resolution.</li> <li>3. Expression of Interest received from another Council regarding joining the FNWJO.</li> <li>4. FNWJO meeting held on 1 August 2022.</li> <li>5. Matter proceeding.</li> </ol>

2022/161	CAMPING & CARAVAN USAGE - MITCHELL HIGHWAY ROAD RESERVE AND NORTH BOURKE BOAT RAMP CROWN RESERVE
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY – MANAGER ENVIRONMENTAL SERVICES
FILE NO	L1.9

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>1. That the legislative information in respect of the potential usage</li> </ol>	<ol style="list-style-type: none"> <li>1. Contact made with Transport for NSW</li> </ol>

<p>of the North Bourke Boat Ramp Crown Reserve for the purposes of caravanning and camping be noted.</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>5. That Council investigate further opportunities to promote Bourke as an RV friendly town.</li> </ol>	<p>(TfNSW).</p> <ol style="list-style-type: none"> <li>2. Awaiting response from TfNSW.</li> </ol>
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2022/176	MAYORAL MINUTE – WESTERN WEIRS STRATEGY
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	W3.1

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	<ol style="list-style-type: none"> <li>1. Letter written by the Mayor to Hon. Tanya Plibersek, MP, seeking support and funding to progress to 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.</li> <li>2. Letter also written to the Hon. Kevin Anderson, State Minister for Land and Water seeking support and seeking a meeting to discuss same. Minister’s office advised that “the Minister will be unable to accept your request to meet.”</li> <li>3. Response dated 5 October 2022 received from Minister Anderson. The Minister advised that: <ul style="list-style-type: none"> <li>• Infrastructure NSW (INSW) completed its Gateway 1 Review in December 2021 in respect of the Western Weirs Program. INSW is working with the Australian Government re: funding</li> </ul> </li> </ol>

	<p>arrangements for a final Business Case.</p> <ul style="list-style-type: none"> <li>Western Weirs Program has been incorporated into the Better Baaka Program. Better Baaka aims to protect rivers and floodplains with towns having “a secure water source into the future, and sustainable local communities, agriculture and industries can be supported.”</li> </ul>
--	--

2022/208	AUSTRALIA DAY
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	C2.3-C2.31

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>That award categories for the 2023 Australia Day Awards be maintained as follows:                             <ul style="list-style-type: none"> <li>Citizen of the Year;</li> <li>Junior Citizen of the Year</li> <li>Sportsperson of the year</li> <li>Junior Sportsperson of the year</li> <li>Village Service Award</li> <li>Emergency Services Volunteer of the year</li> </ul> </li> <li>That nominations in respect of the 2023 Australia Day Awards open on Tuesday 1 November 2022 and close at 4.30 pm on Friday 2 December 2022.</li> <li>That Council delegate to the General Manager the role of finalising the determination of the Bourke Shire Council Australia Day Award Recipients, having regard to deliberations to be undertaken as part of a Workshop of Councillors to be convened following the Ordinary Council meeting to be held on 19 December 2022.</li> </ol>	<p>Notice placed on Social media, Bourke Shire Council Facebook page and advertised in the Western Herald 20 October 2022 and weekly until nominations close.</p>

2022/212	VISITOR ENHANCEMENTS AT BACK O' BOURKE EXHIBITION CENTRE
RESPONSIBLE OFFICER	MELANIE MILGATE – MANAGER ECONOMIC DEVELOPMENT
FILE NO	T1.1

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>That an application for funding of \$506,000 be made to the Regional Tourism Activation Fund for visitor enhancements to the Back O’ Bourke Exhibition Centre.</li> <li>That should the grant application be successful, Council make a co-contribution of \$168,000 towards the proposed</li> </ol>	<p>Application for funding submitted. Awaiting outcome in due course.</p>



enhancement works at the Back O' Bourke Exhibition Centre from Councils Infrastructure Renewal Reserve fund.	
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2022/235	DRAFT FAR WEST REGIONAL PLAN 2041
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY – MANAGER ENVIRONMENTAL SERVICES
FILE NO	T1.5

DECISION	ACTION TAKEN
That Council note the information contained within the Draft Far West Regional Plan 2041 Report.	<ol style="list-style-type: none"> <li>Matter discussed regarding gaps in the plan relative to Bourke, linkages, tourism, health services, transport, small business and biodiversity. Hoping for changes to the draft. Opportunities to participate in workshops.</li> <li>Continue to pursue amendments to the plan in respect of identified gaps.</li> </ol>

2022/236	DISCLOSURE OF INTEREST IN WRITTEN RETURNS
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	C11.7,S2.29

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>That the tabling of the Disclosure of Interest Returns at the Ordinary Meeting of Council held on 31 October 2022, as detailed in the report of the General Manager, be noted.</li> <li>That as per Information Access Guideline 1, as issued by the NSW Information Commissioner, Council proceed to publish the tabled Disclosure of Interest Returns of Councillors and Designated Persons on the Council website, on the basis of addresses and signatures on each Return being redacted prior to publication.</li> </ol>	Redacted Pecuniary Interest Returns for Councillors and Designated Persons uploaded to Councils website.

2022/237	CHRISTMAS - NEW YEAR CLOSURE
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	A3.10.1

DECISION	ACTION TAKEN
<ol style="list-style-type: none"> <li>That Councils Shire Office and Library close at 2.30pm on Friday, 23 December 2022 and re-open at their respective regular opening times on Monday, 9 January 2023.</li> <li>That Councils other facilities including the Memorial</li> </ol>	Public Notice of Christmas – New Year Closures to be advertised in December 2022.

<p>Swimming Pool, Waste Depot and Back O’ Bourke Exhibition Centre close for Christmas Day on Sunday, 25 December 2022, 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.</p> <p>3. 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.</p> <p>4. That the community be advised of Councils Christmas/New Year holiday arrangements.</p>	
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2022/238	GEOGRAPHICAL NAMES BOARD – THE POUND YARD
RESPONSIBLE OFFICER	LEONIE BROWN - GENERAL MANAGER
FILE NO	A2.1, A2.2.16, H3.3
<b>DECISION</b>	<b>ACTION TAKEN</b>
That Council advise the NSW Geographical Names Board that whilst it raises no objection to the name “Pound Yard”, it is considered imperative that the Board consult with appropriate Aboriginal persons before any decision is ultimately made.	NSW Geographical Names Board advised of Council’s Resolution.

2022/250	PROPOSED INTEGRATED PRIMARY HEALTH CARE CENTRE
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	A11.1, H1.1, H1.15
<b>DECISION</b>	<b>ACTION TAKEN</b>
<ol style="list-style-type: none"> <li>1. That Council proceed to sell Lots 7,8,9 and 10 DP 35797 Mitchell St, Bourke at a combined price of \$45,000 (ex GST) to the Bourke Aboriginal Corporation Health Service.</li> <li>2. That any necessary documents be executed under the Common Seal of Council.</li> <li>3. That the documents and considerations in respect of this matter remain confidential to Council.</li> </ol>	<ol style="list-style-type: none"> <li>1. BACHS advised of Councils resolution.</li> <li>2. Email received from BACHS advising that they were not able to proceed with the purchase without securing grant funding to construct the new clinic.</li> </ol>

2022/251	SALE OF LAND FOR UNPAID RATES AND CHARGES
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	R2.10
DECISION	
<ol style="list-style-type: none"> <li>1. That the land listed in Attachment 1 herewith be included in a sale of land for unpaid rates and charges by way of public auction, or by private treaty subsequent to such public auction, pursuant to Section 713 of the Local Government Act 1993.</li> <li>2. That the General Manager be authorised to perform the necessary actions to facilitate the conduct of such public auction, including the authority to determine reserve prices for the various allotments, negotiate the terms of the sale of any land listed in Attachment 1, even if the reserve price is not reached.</li> <li>3. That the General Manager be authorised to apply the proceeds of any such sales and to write off any rates, charges or costs incurred through the sale of land process which are not recovered by the sale.</li> <li>4. That the General Manager be authorised, and Council reserves the right, to withdraw any property from sale for technical or legal reasons.</li> <li>5. That the Centre for Sustainable Debt Recovery Pty Ltd, t/as Recoupa, be appointed to administer the sale on Council’s behalf.</li> <li>6. That the General Manager be requested to review the various properties as to them having any strategic benefit to Council, for a further report to Council, if required.</li> <li>7. That the Mayor and General Manager be authorised to execute all relevant documentation to affect such sales.</li> <li>8. That the documents and considerations in respect of this matter remain confidential to the Council.</li> </ol>	ACTION TAKEN
	Matter proceeding.

2022/253	WORKS AT BOURKE AIRPORT
RESPONSIBLE OFFICER	PETER BROWN – MANAGER WORKS
FILE NO	A6.17
DECISION	
<ol style="list-style-type: none"> <li>1. That Council proceed to engage CJC Management Pty Ltd to undertake Package 1 Works and if required, Package 2 Works, as per the scope of works as detailed in the report herewith, and at a price of \$7,750 (Ex GST) and \$45,000 (Ex GST) respectively, relating to the Pavement Condition</li> </ol>	ACTION TAKEN
	<ol style="list-style-type: none"> <li>1. Package 1 works completed.</li> <li>2. Tender advertised and closing 2 December 2022.</li> </ol>

<p>Assessment of the Bourke Airport.</p> <ol style="list-style-type: none"> <li>2. That the General Manager be requested to take the necessary action to source a contactor to undertake the resealing and crack sealing works at the Bourke Airport, to meet the requirements of Section 55 of the Local Government Act regarding Tendering, for a report to Council in due course regarding the engagement of a contractor.</li> <li>3. That pending the outcome of the Condition Assessment Report and consideration of the findings, the General Manager be requested to seek pricing for a higher specified sealing on the Bourke airport Runway for report to Council, if required.</li> <li>4. That it be noted that Council has sourced grant funding towards the resealing project under the Australian Governments Rural Airports Upgrading Program and that funding of up to \$260,000 be sourced from Councils Infrastructure Renewal Reserve towards the resealing and pavement assessment projects.</li> <li>5. That the documents and considerations in respect of this matter remain confidential to Council.</li> </ol>	
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<p><b>Recommendation</b>  <b>That the information in the Business Arising Report as presented to Council on Monday, 28 November 2022 be noted.</b></p>
--

**12.2 CALENDAR OF EVENTS**

**File Number:** C12.6  
**Author:** Leonie Brown, General Manager  
**Authoriser:** Leonie Brown, 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
<b>2022</b>				
November	28	9.15am	Council Meeting	Council Chamber
December	19	9.15am	Council Meeting	Council Chamber
<b>2023</b>				
February	27	9.15am	Council Meeting	Council Chamber
March	27	9.15am	Council Meeting	Council Chamber
April	24	9.15am	Council Meeting	Council Chamber
May	22	9.15am	Council Meeting	Council Chamber
June	26	9.15am	Council Meeting	Council Chamber
July	24	9.15am	Council Meeting	Council Chamber
August	28	9.15am	Council Meeting	Council Chamber
September	25	9.15am	Council Meeting	Council Chamber

**Recommendation**

**That the information in the Calendar of Events Report as presented to Council on Monday, 28 November 2022 be noted.**

**12.3 INFORMATION TO COUNCILLORS**

**File Number:** C12.1  
**Author:** Leonie Brown, General Manager  
**Authoriser:** Leonie Brown, 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**

<b>Date</b>	<b>Information Sent</b>	<b>Author</b>	<b>Email</b>
21/10/2022	Topical stories regarding Local Government issues	Inside Local Government	✓
21/10/2022	Farmers demand written promise on Methane Pledge	NSW Farmers Association	✓
24/10/2022	Invitation to meet with representatives from the Murray Darling Basin Authority	Margo Anderson	✓
24/10/2022	LGNSW update – red fleet webinar	Local Government NSW	✓
24/10/2022	‘Wet drought’ to cost hundreds of millions	NSW Farmers Association	✓
26/10/2022	Payments for power lines recognise impact	NSW Farmers Association	✓
26/10/2022	GM's Column for Publication Thursday, 27 October 2022	Leonie Brown	✓
27/10/2022	Topical stories regarding Local Government issues	Inside Local Government	✓
27/10/2022	NSW Farmers says Budget fails to tackle key issues	NSW Farmers Association	✓
27/10/2022	Business Papers for the Closed and Ordinary Meetings of Council on Monday, 31 October 2022	Leonie Brown	✓
01/11/2022	Council Circular 22-31 Commencement of the Public Spaces (Unattended Property) Act 2021	Office of Local Government	✓
01/11/2022	The Weekly Newsletter - 28 October 2022	Local Government NSW	✓
01/11/2022	OLG's fortnightly newsletter - 27 October 2022	Office of Local Government	✓
01/11/2022	Topical stories regarding Local Government issues	Inside Local Government	✓
02/11/2022	The Weekly Newsletter - 1 November 2022	Local Government NSW	✓
02/11/2022	78th National Conference - Motions Progress and Engagement	Murray Darling Association	✓
02/11/2022	GM's Column for Publication Thursday, 3 November 2022	Leonie Brown	✓
03/11/2022	Wild weather prompts milk dumping	NSW Farmers Association	✓
04/11/2022	Council Circular 22-33 Misuse of Council Resources – March 2023 State Election	Office of Local Government	✓

04/11/2022	Minutes of the Council Meeting Conducted 31 October 2022	Leonie Brown	✓
08/11/2022	Strong biosecurity requires clear targets	NSW Farmers Association	✓
08/11/2022	Farmers slam supermarket giant over prices	NSW Farmers Association	✓
08/11/2022	The Weekly Newsletter - 8 November 2022	Local Government NSW	✓
09/11/2022	Farmers welcome Port of Newcastle outcome	NSW Farmers Association	✓
11/11/2022	Meeting with the MDBA 15/11/2022 - Cancelled	Margo Anderson	✓
14/11/2022	Secret water buyback deal slammed	NSW Farmers Association	✓
15/11/2022	Understanding LG Finances for Councillors - Final chance to join our online training course!	Local Government NSW	✓
16/11/2022	GMs Column for Publication 17 November 2022	Leonie Brown	✓
16/11/2022	The Weekly Newsletter - 15 November 2022	Local Government NSW	✓
16/11/2022	Farmer survey reveals extent of flood impact	NSW Farmers Association	✓
17/11/2022	Invitation to Dinner with the Hon Paul Toole MP, Deputy Premier, Minister for Regional NSW and Police and Karen Webb, Commissioner of Police 18/11/2022	Back 'O Bourke Exhibition Centre	✓
21/11/2022	Reminder: Council Meeting Monday, 28 November 2022	Margo Anderson	✓
21/11/2022	Women helping drive Farmer's success	NSW Farmers Association	✓

**Recommendation**

**That the contents of the Information to Councillors Report as presented to Council on Monday, 28 November 2022 be noted.**


**13      ENGINEERING SERVICES DEPARTMENT**

Nil



## 14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

### 14.1 \*\*\* DRAFT PLANNING PROPOSAL

<b>File Number:</b>	T5.1
<b>Author:</b>	Dwayne Willoughby, Manager Environmental Services
<b>Authoriser:</b>	Leonie Brown, General Manager
<b>Attachments:</b>	1. Draft Planning Proposal <a href="#">↓</a> 

#### Background

Council staff have previously identified a need to allow small-scale commercial floor space usage within the R1 (General Residential) zone of the Bourke Local Environmental Plan 2012 (LEP) within the township of Bourke. In this regard, Council at its February 2022 meeting resolved (2022/11) as follows:

- 1. That the information in this report regarding the Employment Zone Reform as presented to Council on Friday, 25 February 2022 be noted.*
- 2. That the proposal to permit business premises, with consent, in the R1 General Residential Zone of the Bourke Environmental Plan be endorsed for the purposes of preparing a Planning Proposal for further consideration by Council in due course.*

Currently commercial premises are prohibited within the R1 zone with the current B2 (Local Centre) zone in the LEP having only approximately 1200m<sup>2</sup> of vacant floor space available within this zone.

The objective of the Planning Proposal is to permit with consent, development for the purposes of business premises and office premises on the subject land zoned as R1 General Residential.

The Planning Proposal also seeks to rezone land at Lot 62 DP 1027306 - 68b Sid Coleman Way, North Bourke from SP2 Air Transport Facility to IN1 General Industrial.

The recently adopted, Bourke Shire Community Strategic Plan 2022 identified the need to ensure adequate land is available for growth in the business sector and for Non-Government Organisations (NGOs) to establish locally.

#### Current Situation

A draft Planning Proposal has been prepared by Premise Australia Pty Ltd on behalf of Council, as attached. Pending Council approval, the proposal is required to be submitted to the Department of Planning and Environment (DPE), seeking a gateway determination. The proposal is to amend Council's Local Environmental Plan 2012 (LEP) to facilitate an increase in small-scale commercial floor space through the permissibility of business premises and office premises with the R1 zone, and to further rezone Lot 62, DP1027306 – 68b, Sid Coleman Drive, North Bourke from the SP2 to an IN1 zoning.

Council is required to endorse the draft Planning Proposal to allow it to be submitted via the NSW Planning Portal to DPE for Gateway Determination.

### **Financial Implications**

Consultants fees will be met in the current budget.

### **Recommendation**

- 1. That Council endorse the Planning Proposal seeking gateway determination to amend Council's Local Environmental Plan 2012 (LEP) to facilitate an increase in small-scale commercial floor space through the permissibility of business premises and office premises with the R1 zone and to rezone Lot 62, DP1027306 – 68b, Sid Coleman Drive, North Bourke from SP2 to IN1.**
- 2. That Council submit the subject Planning Proposal to the Department of Planning and Environment for consideration for a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act, 1979.**



BOURKE SHIRE COUNCIL

# **Amendment to the Bourke Local Environmental Plan 2012**

PLANNING PROPOSAL

Report No: 122205\_PP

Rev: 001D

25 October 2022

BOURKE SHIRE COUNCIL  
 AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
 PLANNING PROPOSAL



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Document reference: 122205\_PP\_001

DOCUMENT AUTHORISATION					
Revision	Revision Date	Report Details			
A	02/09/22	Draft for internal review			
B	07/09/22	Draft for client review			
C	13/09/22	Draft for Department of Planning review			
D	25/10/22	Final			
Prepared By		Reviewed By		Authorised By	
Nicholas Allatt		Daniel Drum		Nicholas Allatt	

BOURKE SHIRE COUNCIL  
 AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
 PLANNING PROPOSAL



## CONTENTS

<b>1. BACKGROUND .....</b>	<b>4</b>
1.1 INTRODUCTION .....	4
1.2 SCOPE OF THE REPORT .....	4
1.3 STRUCTURE OF THE REPORT .....	5
<b>2. OVERVIEW .....</b>	<b>5</b>
2.1 THE SITE AREAS IMPACTED BY PLANNING PROPOSAL .....	5
<b>3. OBJECTIVES AND INTENDED OUTCOMES .....</b>	<b>9</b>
3.1 EXPLANATION OF PROVISIONS .....	9
<b>4. JUSTIFICATION .....</b>	<b>13</b>
4.1 INTRODUCTION .....	13
4.2 NEED FOR THE PLANNING PROPOSAL .....	13
4.3 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK .....	16
4.4 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS .....	25
4.5 STATE AND COMMONWEALTH INTERESTS .....	28
<b>5. COMMUNITY CONSULTATION .....</b>	<b>28</b>
5.1 TYPE OF COMMUNITY CONSULTATION REQUIRED .....	28
<b>6. PROJECT TIMEFRAMES.....</b>	<b>29</b>

## FIGURES

Figure 1. Subject Area 1 .....	6
Figure 2. Existing Land Use Zoning .....	7
Figure 3. Subject Area 2 .....	8
Figure 4. Image of Existing Business (photo taken 27 May 2022) .....	9
Figure 5. 126 Meadows Road, Bourke.....	11
Figure 5. Existing Land Use Zoning .....	12
Figure 6. Proposed Land Use Zoning .....	13
Figure 7. Land Use Map – Bourke Town Centre (B2 Zone) .....	28

## TABLES

Table 1. Consideration of Regional Plan Goals and Directions .....	16
Table 2. Consideration of State Environmental Planning Policy .....	19
Table 3. Consideration of Section 9.1 Ministerial Directions.....	21
Table 4. Estimated Project Timeframe.....	29

## APPENDICES

APPENDIX A TOWN CENTRE LAND USE MAP

BOURKE SHIRE COUNCIL  
AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL





## 1. BACKGROUND

### 1.1 Introduction

Premise Australia Pty Ltd has been commissioned by Bourke Shire Council (Council) to prepare a planning proposal to amend the *Bourke Local Environmental Plan 2012* (LEP) in respect of land zoned as R1 General within the Bourke Shire Local Government Area (LGA).

The Department of Planning, Industry and Environment (DPIE) are currently reforming the employment zones across the State of NSW. The reform of employment zones seeks to support long-term economic recovery through job creation and encourage increased productivity in NSW following the recent impacts of COVID-19.

In addition to the DPIE's reform, Council seeks to facilitate an increase in small-scale commercial floor space through the permissibility of business premises and office premises within the R1 zone. A review of the current vacancy rates in the CBD identified a lack of appropriate commercial floor space for small-scale business and office use. The study found approximately 1200m<sup>2</sup> of vacant floor space across four (4) sites with an additional 1200m<sup>2</sup> of vacant land located at 47-49 Mitchell Street.

The recently adopted, *Bourke Shire Community Strategic Plan 2022* identified the need to ensure adequate land is available for growth in the business sector and for Non-Government Organisations (NGOs) to establish locally.

As a separate consideration, the Planning Proposal also seeks to rezone the property identified as Lot 62 DP 1027306 68B Sid Coleman Way, North Bourke from SP2 Air Transport Facility to IN1 General Industry. The site was incorrectly zoned as SP2 when the LEP was originally gazetted in 2012. The land use on the site is a vehicle repair workshop and would be more appropriately zoned as IN1 consistent with the adjoining zoning to the property.

It is requested that the DPIE support the subject Planning Proposal and issue Bourke Shire Council with a Gateway Determination to proceed to public exhibition.

### 1.2 Scope of the report

This planning proposal has been prepared in accordance with the DPIE's advisory document '*Local Environmental Plan Making Guideline 2022*' (the Guideline). The Guideline requires the Planning Proposal to be provided in five (5) parts, those being:

- Part 1 – A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 – The justification for those objectives, outcomes, and provisions and the process for their implementation;
- Part 4 – Maps, where relevant, to identify the effect of the planning proposal and the area to which it applies;
- Part 5 – Details of the community consultation that is to be undertaken on the Planning Proposal;
- Part 6 – Project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in the Guideline.



### 1.3 Structure of the report

In accordance with the Guidelines, this Planning Proposal is provided in the following structure;

- **Section 2** provides an overview of the subject site; the development intent; and development constraints;
- **Section 3** provides a statement of the objective and explanation of provisions of the Planning Proposal;
- **Section 4** provides justification regarding the need for the Planning Proposal; outlines its relationship to strategic planning strategies; and overviews the environmental, economic, and social impacts of the proposal;
- **Section 5** details how community consultation is to be undertaken with respect to the Planning Proposal.
- **Section 6** provides an indicative timeline for the project in accordance with the benchmarks in the Guideline.

## 2. OVERVIEW

### 2.1 The Site Areas Impacted by the Planning Proposal

The Planning Proposal comprises of two separate subject sites/areas. One relates to the proposed permissibility changes in the R1 zone including business premises and office premises, and the other relates to the proposed rezoning of land at 68B Sid Coleman Way.

The location the abovementioned subject sites/areas are discussed in the following sections of this report.

#### 2.1.1 SITE AREA 1 – R1 GENERAL RESIDENTIAL ZONED LAND

The subject area in respect of the proposed permissibility changes, including business premises and office premise, relates to the land zoned as R1. The R1 zone primarily surrounds the CBD and is bound by the Darling River to the north, Mitchell Highway to the south and rural land to the east and west. The area is surrounded by a levy bank which protects the town from flooding impacts resulting from the Darling River. It should also be noted that additional isolated R1 land is located along Parkdale Road to the west of the town which is also protected by the town's levy bank.

The area is typically characterised by social housing in the north east and western areas of the town. This is evidenced from a site visit of the Bourke Shire, undertaken on 27 May 2022, and is further supported by the SEIFA mapping prescribed by the Australian Bureau of Statistics in 2016.

The residential area to the south east is anchored by the Bourke District Hospital, Bourke High School and Bourke Public School and comprises of established housing.

The R1 zone also accommodates other existing development types including a church, neighbourhood shopping centre, medical centre, car dealership, service stations and tourist and visitor accommodation adjoining the Mitchell Highway. Tourist and visitor accommodation and St Ignatius Parish School is located in the northwest of the town, in proximity to the Darling River.

The area west of Charles Street presents the greatest opportunity for greenfield development and is located within a 700m radius of the town centre.

Bourke's general residential area is largely characterised by low density housing situated on lots greater than 1000m<sup>2</sup> in size. This development typology is further reinforced by the existing 800m<sup>2</sup> and 1000m<sup>2</sup> minimum lot size provisions of the Bourke LEP 2012.



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



Subject Area 1 is depicted in **Figure 1**. In addition, the existing land use zoning is provided for further reference in **Figure 2**.

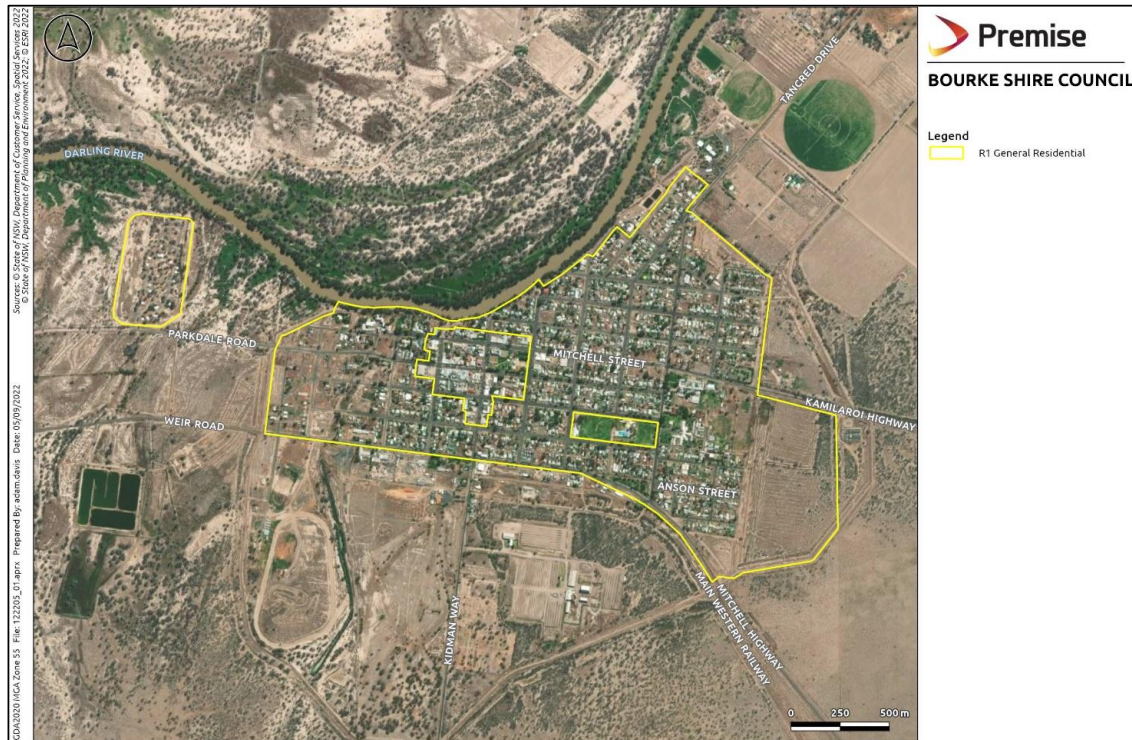


Figure 1. Subject Area 1

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL

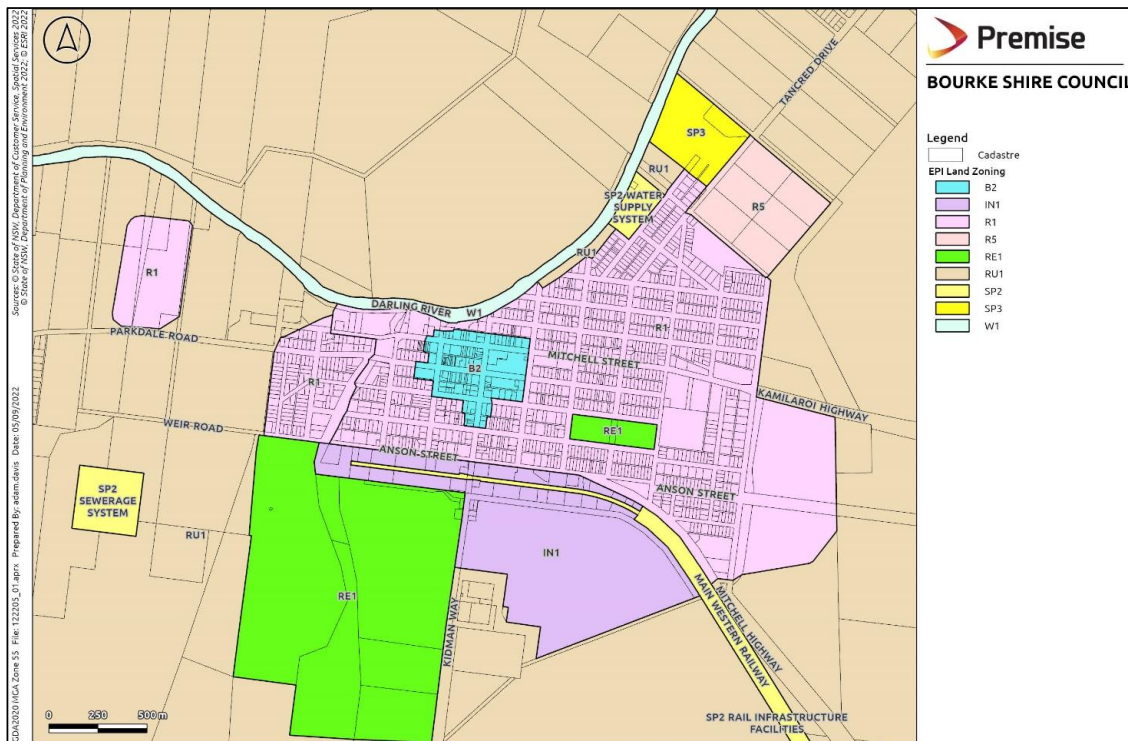


Figure 2. Existing Land Use Zoning

2.1.2 SITE AREA 2 - 68B SID COLEMAN WAY

Subject Area 2 is identified as Lot 62 DP 1027306 68B Sid Coleman Way, North Bourke. Subject Area 2 adjoins the Bourke Airport and hosts an established vehicle repair station known as Garf’s Mechanical Services. The site is approximately 8000m<sup>2</sup> and is generally surrounded by vacant land. The land to the south is zoned for large lot residential development, the land immediately adjoining to the west and east is zoned for general industrial development and the land to the north is zoned for the air transport facility (Bourke Airport).

The site is located approximately 7km north of the town centre as linked via the Mitchell Highway.

The site was zoned as SP2 Air Transport Facility at the time the original BLEP was gazetted in 2012. At the time, the vehicle repair station was incorrectly assimilated to the adjoining airport and is currently operating under existing use rights.

Subject Area 2 is depicted in **Figure 3**. An image of the business, as taken by Premise on 27 May 2022, is depicted in **Figure 4**.

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



Figure 3. Subject Area 2





Figure 4. Image of Existing Business (photo taken 27 May 2022)

### 3. OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to permit with consent, development for the purposes of business premises and office premises on the subject land zoned as R1 General Residential.

The Planning Proposal also seeks to rezone land at Lot 62 DP 1027306 68B Sid Coleman Way, North Bourke from SP2 Air Transport Facility to IN1 General Industrial. The proposed Amendment will facilitate the continued use of the existing vehicle repair station on the site.

#### 3.1 Explanation of provisions

##### 3.1.1 PROPOSED PERMISSIBILITY CHANGES – BUSINESS PREMISES AND OFFICE PREMISES

The objective of this Planning Proposal is to permit with consent, development for the purposes of business premises and office premises on the subject land zoned as R1 General Residential (**Figure 1** and **Figure 2**). It is anticipated that the permissibility would result in an Amendment to the Land Use Table and subsequent introduction of a Local Provisions Clause under Part 6 of the LEP.

For reference, the LEP definitions for business premises and office premises are as follows:



*“business premises means a building or place at or on which—*

*(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or*

*(b) a service is provided directly to members of the public on a regular basis,*

*and includes funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.*

*office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.”*

The proposed Local Provisions Clause would incorporate objectives to guide development and mitigate impacts on existing residential land uses. The clause would prescribe a maximum floor space allowance to ensure that the commercial hierarchy of the town remains centralised around the CBD. It is also proposed that adaptive reuse of existing dwelling houses is encouraged, so long as development does not result in an increase to the existing gross floor area of the building.

An example of the proposed clause may include the following:

*6.6 Use of certain land is R1 General Residential zone, Bourke.*

*(1) The objectives of this clause are to ensure development on land to which this clause applies -*

*(a) minimises land use conflict with adjoining residential uses, and*

*(b) is of a design which enhances or is sympathetic to the surrounding streetscape and character of the area, and*

*(c) does not result in a significant increase in traffic volumes or impact on the surrounding streetscape, and*

*(d) is of a size and scale which does not impede on the amenity of the immediate area.*

*(2) This clause applies to development for the purposes of business premises or office premises on land within Bourke Shire Local Government Area –*

*(a) in Zone R1 General Residential*

*(3) Development consent must not be granted to development to which this clause applies, unless –*

*(a) new development does not exceed a gross floor area of 250m<sup>2</sup>, or*

*(b) is development carried out in an existing dwelling house and will not result in an increase to the existing gross floor area of the building.*

An alternative drafting approach may include permitting with consent development for the purposes of commercial premises, business premises and office premises, and prohibiting retail premises in the R1 zone.

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
 PLANNING PROPOSAL



It is noted that the legal drafting of the proposed Amendment will be undertaken by Parliamentary Counsel under the direction of Department of Planning, Industry and Environment.

An example of a site which this Amendment may apply has been identified as 126 Meadows Road, Bourke. The site comprises of an existing building of an appropriate size and scale and is supported by an adequate front setback for car parking. An image of 126 Meadows Road, Bourke is provided in **Figure 5**.



**Figure 5. 126 Meadows Road, Bourke**

**3.1.1 68B SID COLEMAN WAY**

The Planning Proposal also seeks to rezone land at Lot 62 DP 1027306 68B Sid Coleman Way, North Bourke from SP2 Air Transport Facilities to IN1 General Industrial. The proposed Amendment will facilitate the continued use of the existing vehicle repair station on the site.

The proposed rezoning of Subject Area 2 relates to Land Zoning Map – Sheet LZN\_008A. The existing and proposed land use zoning in relation to Subject Area 2 is depicted in **Figure 6** and **Figure 7**.



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL

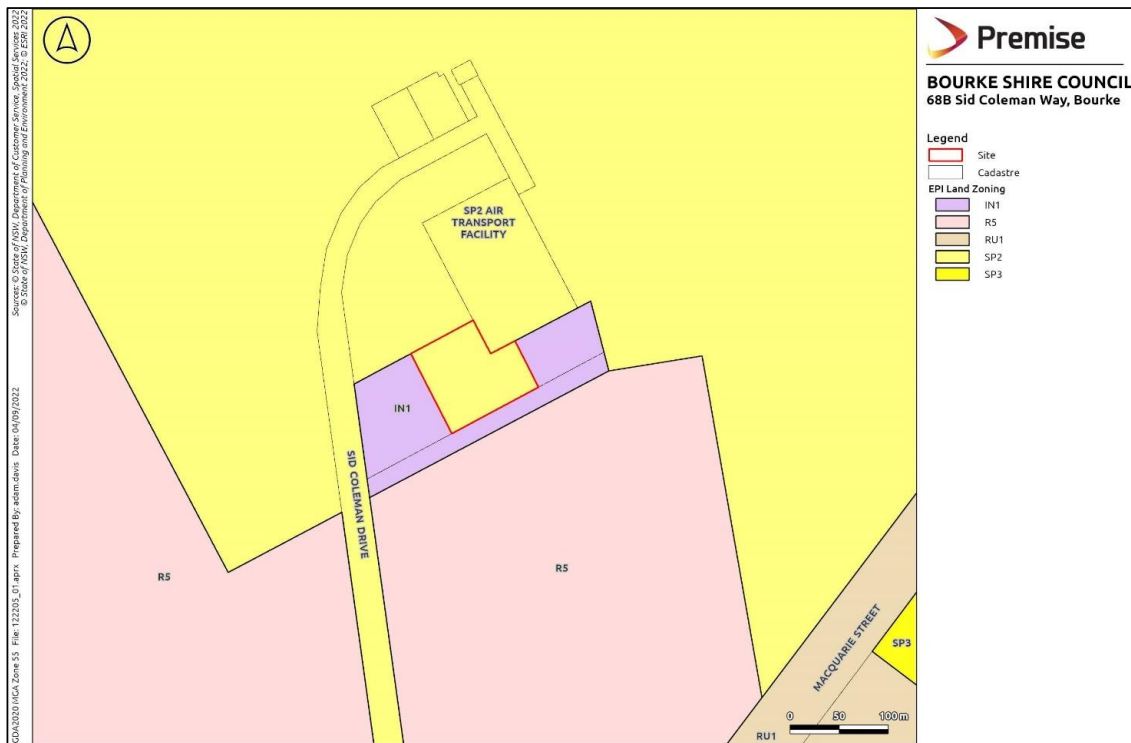


Figure 5. Existing Land Use Zoning

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL

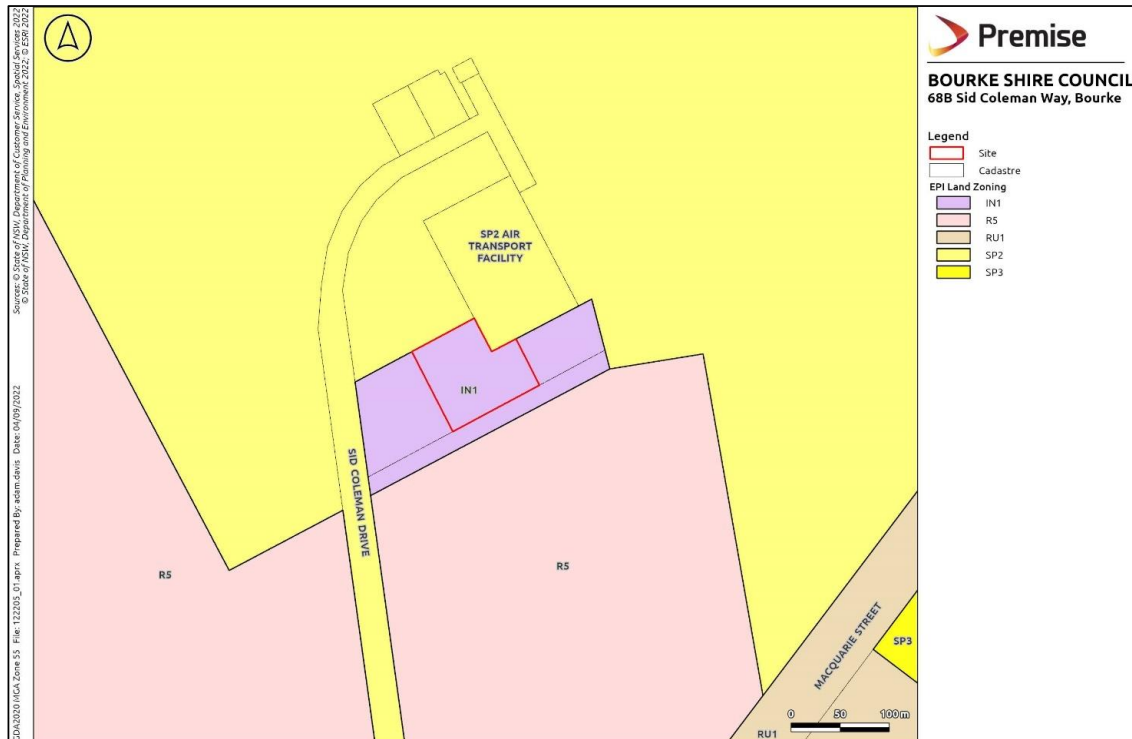


Figure 6. Proposed Land Use Zoning

## 4. JUSTIFICATION

### 4.1 Introduction

The overarching principles that guide the preparation of planning proposals are:

- The level of justification should be proportionate to the impact the Planning Proposal would have.
- It is not necessary to address a question if it is not considered relevant to the Planning Proposal.
- The level of justification should be sufficient to allow a Gateway determination to be made with confidence that the LEP can be finalised within the timeframe proposed.

The following justification addresses each relevant question applicable to the Planning Proposal to ensure confidence can be given to the Gateway determination.

### 4.2 Need for the planning proposal

***Is the planning proposal a result of any strategic study or report?***

The Planning Proposal has been prepared in response to the demand for additional commercial floor space in proximity to Bourke’s town centre. This demand is evidenced in the recently adopted *Bourke Community Strategic Plan 2022* and is discussed further in this report.



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL

A recent review of the current vacancy rates in the CBD identified a lack of appropriate commercial floor space for small-scale business and office use. The study found approximately 1200m<sup>2</sup> of vacant floor space across four (4) sites with an additional 1200m<sup>2</sup> of vacant land located at 47-49 Mitchell Street.

The sites mentioned above were not found to be advertised for lease or purchase at the time of preparing this report.

To meet community demand and facilitate economic growth, the R1 zone has been identified as a potential area to facilitate small-scale business and office development. The proposed development is expected to occupy existing dwelling houses and capitalise on infrastructure services.

In addition, the proposed rezoning of 68b Sid Coleman Way is requested to facilitate the existing vehicle repair station located on the site. The rezoning is considered to have been incorrectly zoned as part of the gazettal of the Bourke LEP 2012 and is sought under this request as a minor Amendment.

***Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes, the Planning Proposal is considered to be the best means of achieving the development objectives. Currently, business premises and office premises are prohibited forms of development in the R1 zone. The proposed Amendment of the Land Use Table and subsequent inclusion of an additional local provisions clause under Part 6 of LEP, will facilitate the proposed development.

As part of the planning assessment undertaken for the subject Planning Proposal, the following mechanisms were also considered:

1. Expansion of the existing B2 Local Centre zone.
2. Implementation of a B4 Mixed Use zone or RU5 Village zone.
3. Limitations of existing home business and home occupation land use definitions.
4. Site-specific additional permitted uses.

The abovementioned planning mechanisms were not considered suitable for the application of the subject Planning Proposal.

These mechanisms are discussed as follows:

1. Expansion of the existing B2 Local Centre zone

The expansion of the existing B2 Local Centre zone would typically include the development area immediately surrounding the town centre and would exclude known development opportunities that are located within the eastern portion of the town. Currently, development interest has been received by Council from small business owners and non-government organisations, who are typically looking to establish in existing dwellings and buildings.

Limiting the development area to a ring around the existing town centre would restrict potential business opportunities from developing throughout the wider residential footprint. It is considered that the expansion of the B2 Local Centre zone is not suitable for the application of this Planning Proposal.

2. Implementation of a B4 Mixed Use zone or RU5 Village zone.

A B4 Mixed Use zone would introduce a diverse range of commercial and industrial uses into the town centre. The variety of different land uses may result in land use conflict and generate demand for



infrastructure upgrades. This would be relevant should heavy vehicle movements need to utilise the local road network.

Similarly, facilitating a mixed development typology through the implementation of a RU5 Village zone could result in similar considerations to a B4 zone. A RU5 zone is typically applied to smaller rural settlements where the objective is to maintain the existing rural character of the village.

Due to the relative size and scale of Bourke’s town centre, it is not considered appropriate to implement a B4 or RU5 zone for the purposes of this Planning Proposal.

3. Home business or home occupation

Previous consideration has been given to the definition of home business and home occupation.

The LEP definition of home business and home occupation is as follows:

*“home business means a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—*

- (a) the employment of more than 2 persons other than the residents,*
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,*
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,*
- (d) the exhibition of signage, other than a business identification sign,*
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,*

*but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.*

**Note—**

*See clause 5.4 for controls relating to the floor area used for a home business.”*

*home occupation means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve—*

- (a) the employment of persons other than those residents, or*
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or*
- (c) the display of goods, whether in a window or otherwise, or*
- (d) the exhibition of any signage (other than a business identification sign), or*



*(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,*

*but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.*

Both land uses require that the business or occupation is undertaken in a dwelling and that the operations of the business are to be undertaken by the residents of the household.

There may be instances where a business owner may not want to reside in the dwelling, which may be the case for a business such as a non-government organisation. Utilising a home based business or home based occupation may not be suitable for the development intent of this Planning Proposal.

4. Site specific additional permitted use

Implementing site specific additional permitted use provisions would limit other potential development opportunities within the R1 zone. In addition, the Planning Proposal applies to the entire R1 zoned area and would not benefit from the distinction of an additional permitted uses map. This planning mechanism is not considered to be practical in this instance.

In addition, the rezoning of 68b Sid Coleman way from SP2 to IN1 will enable continued development of the existing vehicle sale and repair workshop and is consistent with the adjoining land zoning.

### 4.3 Relationship to strategic planning framework

***Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?***

The *Far West Regional Plan 2036* is the NSW Government’s strategy for guiding land use planning decisions for the Far West. At its heart is a core vision for the region supported by the following foundational goals:

Goal 1 – A diverse economy with efficient transport and infrastructure networks;

Goal 2 – Exceptional semi-arid rangelands traversed by the Barwon-Darling River; and

Goal 3 – Strong and connected communities.

The proposal is considered to be generally consistent with the objectives and actions of the Plan as discussed in **Table 1**.

**Table 1. Consideration of Regional Plan Goals and Directions**

<b>Goals/Directions</b>	<b>Assessment response</b>
<b>Goal 1 – A diverse economy with efficient transport and infrastructure networks</b>	The Planning Proposal will offer additional economic diversification and supportive professional services to the LGA. Rezoning of 68b Sid Coleman way will enable continued use and future expansion of the existing vehicle repair station. The Planning Proposal is consistent with Goal 1 as discussed below.
Direction 12 – Enhance the productivity of employment lands	The identified lack of available commercial floor space in the B2 zone presents a need for investigation of opportunities elsewhere. The Planning Proposal seeks to facilitate development for the purposes of business premises and office premises within the R1 zone.

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



Goals/Directions	Assessment response
	<p>The economic role of the R1 zone will support additional small scale business opportunities surrounding the town centre.</p> <p>The proposed new development is expected to cater for service-based business' such as hair and beauty salons, professional offices (accountants, etc) and support the establishment of non-government organisations.</p> <p>The commercial activation of the residential areas will enable an appropriate mix of development that will enhance and support the larger scale commercial activities that reside in the B2 zone.</p>
<p>Action 12.6 Accommodate future commercial and retail activity in existing commercial centres, unless there is demonstrated need and positive social and economic benefits for the community.</p>	<p>The Planning Proposal identified a mix of large format retail and government buildings within the B2 zone.</p> <p>The proposed small scale business and office land uses will be primarily located within no more than 1km of the town centre and will continue to support the economic activity within the B2 zone.</p> <p>The proposal is not anticipated to result in any significant impact on the economic hierarchy of the town.</p> <p>The Planning Proposal will also present opportunities to existing home business operations for expansion and further flexibility in their current activities.</p>
<p><b>Goal 2 – Exceptional semi-arid rangelands traversed by the Barwon-Darling River</b></p>	<p>The Planning Proposal is not inconsistent with Goal 2.</p>
<p><b>Goal 3 – Strong and connected communities.</b></p>	<p>The Planning Proposal is not inconsistent with Goal 3.</p>

Based on the above, the development is considered to be consistent with the Regional Plan.

***Is the planning proposal consistent with Council's local strategy or other local strategic plan?***

a) Bourke Local Strategic Planning Statement

The Bourke Local Strategic Planning Statement (LSPS) sets the framework for the economic, social and environmental land use needs over the 20 years.

The LSPS identifies the need for access to higher order services and continuity of industry and employment. The additional implications of a declining population have raised the need to centralise development around the township before expanding the urban footprint.

The Planning Proposal seeks to create additional opportunities to establish businesses and professional office space within the township and is considered to be consistent with the intentions of the LSPS.

b) Bourke Shire Strategy 2012

The Bourke Shire Strategic Plan 2012 provides the foundation to the LGA's local strategic land use planning.

The vision as stated in the Strategy is as follows:

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



*"Bourke Shire will continue to grow as an iconic, outback regional community and destination which is united and productive, thriving on practical access to all modern services".*

The Implementation Plan, prepared in support of the Strategy, provides the following actions:

*"3.1 Adopt the settlement hierarchy outlined in section 8.3.1 of this document and as outlined below:*

*Regional: Dubbo*

*Town: Bourke*

*Villages: Byrock, Engonia, Fords Bridge, Louth, North Bourke and Wanaaring,*

*Rural Localities: Barringun and Yantabulla"*

*3.2 Allow for the growth and future development of the town and villages."*

The Strategy highlights the need to provide services locally to prevent expenditure leakages from residents and businesses to Dubbo and elsewhere. In addition, further employment opportunities and economic growth are to be diversified through the capitalisation of existing strengths.

The Planning Proposal seeks to facilitate additional economic opportunities within Bourke's urban area, by Amending the LEP to allow small scale business and office premises within the R1 zone.

The Planning Proposal is considered to be consistent with the *Bourke Shire Strategy 2012*.

Bourke Community Strategic Plan 2022

The *Bourke Community Strategic Plan 2022* (CSP) embodies the long-term vision for the community developed by the community and was adopted in June 2022. The vision of the CSP is as follows:

*"Bourke will continue to grow as an iconic, outback, regional community and destination, which is united and productive, thriving on practical access to all modern services."*

The CSP identifies a total of 414 business as per a count in 2017 with a Gross Regional Product of \$164.3M in 2020.

Community and stakeholder feedback raised the following key economic opportunities:

*"Ensure opportunities for business development are pursued and improve and grow tourism sector"*

In addition, the community raised the need to ensure a strong NGO sector where decisions can be made locally.

The following relevant objectives and strategies of the plan are as follows:

*"Economic Prosperity through welcoming new residents and businesses*

*– developing industry and business - promote and develop business opportunities – ensure land availability."*

The Planning Proposal seeks to facilitate additional opportunities in support of the commercial demand for business development and office space to cater for the community's needs and accommodate the local NGO sector.

The Planning Proposal is considered to be consistent with the *Bourke Community Strategic Plan 2022*.

***Is the planning proposal consistent with applicable State Environmental Planning Policies?***

The Planning Proposal is considered to be broadly consistent with all relevant State Environmental Planning Policies (SEPPs).

Consideration of the applicable State Environmental Planning Policy is addressed in **Table 2**.



**Table 2. Consideration of State Environmental Planning Policy**

<b>State Environmental Planning Policy (SEPP)</b>	<b>Comment</b>
<b>SEPP (Biodiversity and Conservation) 2021</b>	
<p>The aims of Chapter 2 are –</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through preservation of trees and other vegetation.</p>	<p>The Planning Proposal seeks to include business premises and offices premises within the R1 zone. It is anticipated that most of the development would occur within the confines of existing dwellings.</p> <p>Clearing of native vegetation within in a non-rural area is subject to the <i>Biodiversity Conservation Act 2016</i> and the requirements as provided under the relevant Development Control Plan (DCP).</p> <p>The Bourke Shire DCP 2012 states the following:</p> <p><i>“6.3.3 Vegetation</i> <i>Development design shall accommodate the retention of any significant trees and vegetation.”</i></p> <p>No specific species or sizing is mentioned, and therefore Council’s discretion would be applied at the time of development assessment.</p> <p>The Planning Proposal is considered to be consistent with the requirements of the SEPP.</p>
<b>SEPP (Building Sustainability Index: BASIX) 2004</b>	
<p>The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State by adhering to the list of BASIX commitments required to facilitate sustainable development.</p>	<p>N/A</p>
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	
<p>The aim of this Policy is to provide streamlined assessment processes for development that complies with specified development standards.</p>	<p>The Planning Proposal does not intend on contravening the provisions of the SEPP and is therefore considered to be consistent with the SEPP.</p> <p>It should also be noted that under Part 5A of the SEPP there are complying development provisions available for commercial premises development that is located within a business zone. Due to the nature of the intended development and the respective R1 zoning, the provisions of Part 5A would not apply.</p> <p>A development application would be required for any future commercial development in the R1 zone.</p>
<b>SEPP (Housing) 2021</b>	

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



<p>The aim of this Policy is to provide a State-wide approach to manage and support, affordable and well-designed residential development across NSW.</p>	<p>The Planning Proposal seeks to utilise existing housing stock to provide additional commercial opportunities within the Bourke LGA.</p> <p>Although additional commercial opportunities would be created, the Planning Proposal would not restrict use of the land for continued residential purposes.</p> <p>The Planning Proposal is considered to be antipathetic with the general requirements of the SEPP.</p>
<p><b>SEPP (Industry and Employment) 2021</b></p>	
<p>The aims of Chapter 3 are as follows –</p> <ul style="list-style-type: none"> <li>- is compatible with the desired amenity and visual character of an area</li> <li>- provides effective communication in suitable locations</li> <li>- is of high quality design and finish.</li> </ul>	<p>Consideration of signage would be managed as part of the development approvals process.</p> <p>The Planning Proposal is considered to be broadly consistent with the requirements of the SEPP.</p>
<p><b>SEPP No 65 – Design Quality of Residential Apartment Development</b></p>	
	<p>N/A</p>
<p><b>SEPP (Planning Systems) 2021</b></p>	
	<p>N/A</p>
<p><b>SEPP (Precincts-Regional) 2021</b></p>	
	<p>N/A</p>
<p><b>SEPP (Resilience and Hazards) 2021</b></p>	
<p>The object of Chapter 4 is to provide for a Statewide planning approach to the remediation of contaminated land.</p>	<p>The proposed commercial uses are considered to be of low impact and of a lesser sensitivity to the existing residential uses within the R1 General Residential area. With this considered, future development would need to consider any site specific impacts of contamination and may be subject to further studies.</p> <p>Any potential contaminating impacts would be considered as part of the development approvals process.</p> <p>The Planning Proposal is considered to be consistent with the SEPP.</p>
<p><b>SEPP (Resources and Energy) 2021</b></p>	
	<p>N/A</p>
<p><b>SEPP (Transport and Infrastructure) 2021</b></p>	
<p>The aim of Chapter 1 is to facilitate the effective delivery of infrastructure across the State.</p>	<p>Bourke’s town centre accommodates three classified roads including the Kidman Way, Mitchell Highway and Kamilaroi Highway.</p>



	<p>Development which provides direct access onto a classified road would be subject to Integrated Development Approval by TfNSW.</p> <p>It is anticipated that future development would predominantly utilise existing access driveways onto the Highway or should additional access be required, this would be managed in accordance with the requirements of TfNSW.</p> <p>The Planning Proposal is considered to be consistent with the SEPP.</p>
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***Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?***

**Table 3** demonstrates consistency of the Planning Proposal in accordance with the applicable Section 9.1 Ministerial Directions.

**Table 3. Consideration of Section 9.1 Ministerial Directions**

Direction	Requirement	Consistency
<b>Focus Area 1 Planning Systems – Place-based</b>		
<b>1.1 Planning Systems</b>	Planning Proposals must be consistent with a Regional Plan released by the Minister for Planning.	The Planning Proposal is considered to give effect to the Far West Regional Plan 2036 as discussed under <b>Section 4.3</b> of this Planning Proposal.
<b>1.3 Approval and Referral Requirements</b>	This Direction applies when a planning proposal is prepared.	The Planning Proposal will facilitate additional development along the classified roads which traverse through Bourke’s town centre. The anticipated impacts resulting from the Planning Proposal are considered to be of minor significance.
<b>1.4 Site Specific Provisions</b>	This Direction applies when a planning proposal is prepared.	The Planning Proposal seeks to permit use of land in the R1 zone for the purposes of business premises of office premises. The scale of this development type will be managed through the introduction of a 250m <sup>2</sup> floor area. This specific restriction will only apply to new development with no impact on existing land uses within the zone.



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
 PLANNING PROPOSAL



		It is anticipated that the proposed Amendment will also be managed under the existing provisions of the Bourke DCP 2012.
<b>Focus Area 2: Design and Place</b>		
		N/A
<b>Focus Area 3: Biodiversity and Conservation</b>		
<b>3.2 Heritage Conservation</b>	This Direction applies when a planning proposal is prepared.	<p>The R1 General Residential zone includes several items of environmental heritage significance.</p> <p>The Planning Proposal will provide additional opportunity for the continued use of these items and aid in their conservation.</p> <p>Consideration of these sites and their future development will need be assessed and addressed as part of the development approvals process.</p> <p>The Planning Proposal is considered to be consistent with the Direction.</p>
<b>Focus Area 4: Resilience and Hazards</b>		
<b>4.1 Flooding</b>	This Direction applies when a planning proposal is prepared that creates, removes or alters a zone or a provision that affects flood prone land.	<p>The Planning Proposal seeks to facilitate commercial development within the R1 zone. The subject area is protected by a flood levy bank which surrounds the town centre.</p> <p>Alice Edwards Village, independently located to the west of the town, is also protected by a flood levy bank.</p> <p>Flood impacts can be managed in accordance with the requirements set out under Section 3.2 the Bourke DCP for commercial development.</p> <p>The Planning Proposal is considered to be inconsistent with the Direction. This</p>

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



		inconsistency is considered to be of minor significance.
<b>4.3 Planning for Bushfire Protection</b>	This Direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land.	The Planning Proposal does not include any areas mapped as bushfire prone land. The Planning Proposal does however include areas of land adjoining bushfire prone land.  The proposed development is for the purposes of commercial development and would be managed in accordance with the RFS <i>Planning for Bushfire Protection 2019 Guidelines</i> . The inconsistency is considered to be of minor significance.
<b>4.4 Remediation of Contaminated Land</b>	This Direction applied when a planning proposal is prepared.	The Planning Proposal does not seek to develop land for the purposes of residential, educational, recreation or childcare purposes or for the purposes of a hospital.  It is anticipated that the proposed future development of business premises or office premises is unlikely to result in any significant contaminating impacts.  The Planning Proposal is considered to be consistent with the Direction.
<b>Focus Area 5: Transport and Infrastructure</b>	This Direction applies when a planning proposal is prepared that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	The Planning Proposal refers primarily to the R1 zone with additional rezoning of land from SP2 to IN1.  The Planning Proposal would result in the diversification of land uses within the R1 zone and provide additional opportunities for mixed commercial and residential developments.  The additional localised business and office opportunities are expected to reduce vehicle trips between

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



		<p>Bourke and other regions such as Dubbo.</p> <p>The decentralisation of small scale commercial uses will enable increased neighbourhood walkability and combined residential and commercial integration.</p> <p>The Planning Proposal is considered to be consistent with the Direction.</p>
<p><b>5.3 Development Near Regulated Airports and Defence Airfields</b></p>	<p>This Direction applies when a planning proposal is prepared that will create, alter or remove a zone or a provision relating to land near a regulated airport.</p>	<p>The Planning Proposal seeks to rezone land at 68B Sid Coleman Way from SP2 Air Transport Facility to IN1 General Industrial.</p> <p>The proposed rezoning will facilitate an existing vehicle repair workshop which was incorrectly zoned as SP2 when the original Bourke LEP 2012 was created.</p> <p>The Planning Proposal is considered to be consistent with the Direction.</p>
<p><b>Focus Area 6: Housing</b></p>		
<p><b>6.1 Residential Zones</b></p>	<p>This Direction applies when a planning proposal is prepared that will affect land within an existing or proposed residential zone.</p>	<p>The Planning Proposal will result in the permissibility of business premises and office premises within the R1 zone.</p> <p>The amenity of the residential areas will be maintained through floor space restrictions included in the LEP. Further objectives would also be included to manage any potential impacts on amenity.</p> <p>The scale and anticipated uptake of these uses within the R1 zone is considered to be of minor significance.</p>
<p><b>Focus Area 7: Industry and Employment</b></p>		
<p><b>7.1 Business and Industrial Zones</b></p>	<p>This Direction applies when a planning proposal is prepared that will affect land within an</p>	<p>The Planning Proposal will result in the permissibility of business premises and office premises within the R1 zone.</p>



	existing or proposed business or industrial zone.	In addition, the Planning Proposal seeks to rezone land from SP2 to IN1.  The Planning Proposal will result in an increase in the total potential floor space area for both industrial and business uses.  The Planning Proposal is considered to be consistent with the Direction.
<b>Focus Area 8: Resources and Energy</b>		
		N/A
<b>Focus Area 9: Primary Production</b>		
		N/A

#### 4.4 Environmental, social and economic impacts

***Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, would be adversely affected as a result of the proposal?***

The Planning Proposal is unlikely to result in any significant impact to critical habitat or threatened species, populations or ecological communities or their habitats. The subject area has been largely subdivided and developed for the purposes of residential development. Any further intensification, subdivision or clearing of land would be subject consideration under the *Biodiversity Conservation Act 2016*.

***Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

The Planning Proposal is unlikely to result in any environmental effects.

***Has the planning proposal adequately addressed any social and economic effects?***

The Planning Proposal seeks to integrate commercial development of an appropriate type and scale within the R1 zoned area of Bourke. Although there is substantial opportunity for development of vacant residential land within the outer edges of the town centre, it is anticipated that use of existing housing infrastructure will be utilised for the new commercial potential.

As mentioned previously, the property located at 126 Meadows Road, Bourke is one example of a potential opportunity for establishing as a business or office premises. The site provides for adequate parking to the front of the Lot and an adequate setback to adjoining property to the east. The site is depicted in **Figure 5**.

The amenity of the neighbourhood would be managed using the implementation of a maximum floor space restriction of 250m<sup>2</sup> as part of the proposed LEP Amendment. This would maintain the role of the CBD as the primary commercial area in Bourke. In addition, planning principles that may be utilised to guide future development are provided as follows:

- Minimise land use conflict with adjoining residential land uses
- Does not adversely impact on the amenity of the surrounding neighbourhood
- Development is sympathetic to the character of the surrounding streetscape

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



- Outdoor signage is of an appropriate nature to not adversely impact on surrounding residential land uses

These principles have been considered in drafting the proposed local provisions clause as mentioned in **section 3.1.1**.

The key considerations when adapting existing residential buildings include the following:

- Equitable access into and throughout the building and associated parking areas
- Fire upgrades and/or appropriate setback distances between neighbouring buildings
- Conservation of heritage buildings
- Provision of car parking – DCP requires 1 space per 25m<sup>2</sup> of GFA for business use
- Connection to infrastructure services

The planning considerations mentioned above are considered to be achievable and would be addressed as part of the development approvals process.

Implementation of the Crime Prevention Through Environmental Design (CPTED) principles would also be applied and considered as part of the development approvals process. These may include maintaining open landscaped areas for passive surveillance, video surveillance, sensor lighting and security screens. Business development would also have the added advantage of adjoining residential surveillance which is expected to reduce antisocial behaviour after business hours.

#### **Economic Impact on Town Centre**

An investigation of the town centre's existing supply of vacant commercial land was undertaken by Premise in support of the Planning Proposal. The study was based on a desktop analysis and aerial imagery and further validated by a site visit undertaken by Premise and Council staff on 27 May 2022.

The purpose of the study was to understand the existing land use mix and typology within the B2 zone and identify any existing vacant land or commercial floor space opportunities within the town centre.

The land use typology, as identified by the study, is depicted in **Figure 7** and attached as **Appendix A**.

The resulting study identified that large format retail, hardware and building supplies, retail supermarket, hotels and motels and government buildings were the dominant land uses in the B2 zone and were centred around Oxley Street.

In addition, there were scattered light industrial uses occupying land to the perimeter of the CBD primarily on the southern fringe along Richard Street (Kidman Way/Mitchell Highway).

The study identified two (2) sites comprising of vacant land and five (5) sites with vacant buildings. These sites are discussed as follows:

1. 23-25 Sturt Street, Bourke

Identified as vacant land and remnants of a burnt down building. The site is approximately 4037m<sup>2</sup> in size and is split zoned as B2 Local Centre and R1 General Residential. Although the site is considered to be vacant land, substantial site preparation would be required to enable construction of new development on the site.

2. 47-49 Mitchell Street, Bourke

The site is identified as vacant land and has an approximate area of 1200m<sup>2</sup>. The property represents the only reasonable greenfield development site within Bourke's B2 zone.

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



3. 15 Mitchell Street, Bourke

The site included a vacant building previously used for the purposes of business premises (hairdressing salon). The overall building includes additional occupied tenancies and would present an opportunity if advertised, to establish new commercial development in the locality.

4. 33 Mertin Street, Bourke

The site contains unoccupied buildings previously used for the purposes of serviced apartments (Outback Hotel). The existing buildings would present an opportunity for the reestablishment of tenants at the premises.

5. 17 Richard Street, Bourke

The site contains a derelict building previously used for the purposes of a second hand retail store. The building would require significant repair prior to occupation or reestablishment of a new land use.

6. 40 Oxley Street, Bourke

The site contains a vacant retail building (clothing store). The building is centrally located and would present business prospects to potential tenants should the opportunity arise.

7. Lot B, 19-23 Oxley Street, Bourke

The site contains a vacant retail building (variety store). The building is part of a row of attached tenancies on the western end of Oxley Street. The building presents commercial opportunities should the building be advertised for occupation.

The results of the study identified limited opportunity for further economic expansion within Bourke’s existing town centre. The study identified a total of seven (7) sites across the B2 Local Centre zone which included two (2) parcels of vacant land, one (1) of which had remnants of a burnt down building, a site with a derelict building and four (4) buildings, each previously occupied with commercial/retail uses.

The study resulted in approximately 1200m<sup>2</sup> of vacant floor space across the four independent sites within Bourke’s town centre. There is an additional 1200m<sup>2</sup> of vacant land located at 47-49 Mitchell Street. In addition, the remaining sites at Sturt and Mitchell Streets would require additional work to remove remaining buildings and structures or significant repair to enable occupation of the site.

It should also be noted that none of these sites are currently advertised for occupation.

The anticipated development types to occur within the R1 zone would be as follows:

- Change of use of existing dwelling house to business or office premises;
- Mixed use development including existing residency and new business or office premises; or
- New business or office premises construction up to 250m<sup>2</sup>.

Currently, development for the purposes of home business or home occupations are allowed up to 100m<sup>2</sup> with consent in the R1 zone. This development type is restrictive as the business needs to be operated by residents of the associated dwelling with a maximum of no more than 2 nonrelated employees.

The results concluded that there is a limited supply of commercial floor space within the CBD for small-scale business premises and office premises development. The Planning Proposal seeks to provide business and office floor space within the R1 General Residential zone. The Planning Proposal has identified that the existing predominant development within the CBD is large format retail and government buildings. The Planning Proposal seeks to provide a maximum floor space restriction of 250m<sup>2</sup> or allowing the adaptive reuse of an

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



existing dwelling house, to maintain the commercial hierarchy of the town and further mitigate any impact on the existing residential amenity of the R1 zone.

The land use map as informed by the land use study is depicted in **Figure 7**.



Figure 7. Land Use Map – Bourke Town Centre (B2 Zone)

#### 4.5 State and commonwealth interests

It is not considered that the amendments proposed via this planning proposal would conflict with any State or Commonwealth interests. The formal views of State and commonwealth public authorities would be ascertained following the Gateway Determination.

### 5. COMMUNITY CONSULTATION

#### 5.1 Type of community consultation required

Public exhibition of the subject Planning Proposal would be undertaken as a standard proposal for a period of 20 working days, in accordance with the DPIE's *Local Environmental Plan Making Guideline*.

It should also be noted that if referred to any State government agencies or public authorities, comment is expected within 30-40 days.

Notification would be provided via the following platforms:

- On Council's website
- On the NSW Planning Portal



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



- In writing to affected and adjoining landowners unless this is impractical and therefore not required as part of the Gateway determination

## 6. PROJECT TIMEFRAMES

In accordance with the DPIE’s Guideline, the timeframes for completing a Planning Proposal are as follows:

Stage	Maximum Benchmark Timeframes (working days)			
	Basic	Standard	Complex	Principal
Stage 1 – Pre-lodgement	30 days	50 days	60 days	20-30 days
Stage 2 – Planning Proposal	80 days	95 days	120 days	40 days
Stage 3 – Gateway determination	25 days	25 days	45 days	45 days
Stage 4 – Post-Gateway	20 days	50 days	70 days	160 days
Stage 5 – Public Exhibition & Assessment	70 days	95 days	115 days	95 days
Stage 6 – Finalisation	25 days	55 days	70 days	80 days
<b>Sub-total (Department target)</b>	140 working days	225 working days	300 working days	380 working days
<b>Total (end to end)</b>	220 days	320 days	420 days	420 days

In accordance with the Standard Planning Proposal timeframes as mentioned above, we anticipate the following timeframe for completion as shown in **Table 4**.

**Table 4. Estimated Project Timeframe**

Stage	Timeframe and/or date
<b>Pre-lodgement meeting with DPIE</b>	End September 2022
<b>Consideration by Council</b>	Early November 2022
<b>Council decision</b>	End November 2022
<b>Gateway Determination</b>	Early January 2023
<b>Commencement and completion of public exhibition period</b>	January 2023 to February 2023
<b>Council’s consideration of submissions</b>	End March 2023
<b>Post-exhibition review and additional studies</b>	Early April 2023
<b>Submission to the Department for finalisation</b>	End April 2023
<b>Gazettal of LEP amendment</b>	End May 2023



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



PAGE 30

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



# APPENDIX A

## TOWN CENTRE LAND USE MAP

PAGE 31

AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



AMENDMENT TO THE BOURKE LOCAL ENVIRONMENTAL PLAN 2012  
PLANNING PROPOSAL



PAGE 33







**Premise**



*[premise.com.au](http://premise.com.au)*

**14.2 ADDITIONAL PURPOSES TO CROWN RESERVES 81309 AND 81825**

**File Number:** L1.9  
**Author:** Dwayne Willoughby, Manager Environmental Services  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

**Background**

Council is in the process of creating Plans of Management for each of the Crown reserves within the Bourke Shire Council. During this process, two reserves have been identified that require additional purposes to be added to them, being Reserve 81309 (Enngonia War Memorial Hall) and Reserve 81825 (Byrock Community Hall).

**Current Situation**

To align with current and future uses of the reserve, Council requested the additional purpose of Community Purposes be added to Reserve 81309. Whilst the current purpose of Reserve 81309, War Memorial, permits the use of the reserve, the additional community purpose is suitable given community meetings and functions are held on the reserve.

While Reserve 81825 was originally reserved for the purposes of Public Hall and Public Recreation, Council requested the additional purpose of Rural Services be added, to rectify the encroachment of the Byrock Rural Fire Services (RFS) shed located on the reserve.

Both additional purposes have been finalised and notified in the Government Gazettes below.

**CROWN LAND MANAGEMENT ACT 2016  
AUTHORISATION OF USE FOR ADDITIONAL PURPOSE UNDER S 2.14**

Pursuant to section 2.14 of the Crown Land Management Act 2016, the Crown land specified in Column 2 of the following Schedule is authorised to be used for the additional purpose(s) specified opposite in Column 1 of the Schedule.

The Hon. Kevin Anderson MP  
Minister for Lands and Water

<b>Column 1</b>	<b>Schedule</b>
Community Purposes	<b>Column 2</b> Reserve No. 81309 Public Purpose: War Memorial Notified: 19-Dec-1958 File Reference: R81309/PURP001/001

**CROWN LAND MANAGEMENT ACT 2016  
AUTHORISATION OF USE FOR ADDITIONAL PURPOSE UNDER S 2.14**

Pursuant to section 2.14 of the Crown Land Management Act 2016, the Crown land specified in Column 2 of the following Schedule is authorised to be used for the additional purpose(s) specified opposite in Column 1 of the Schedule.

The Hon Melinda Pavey, MP  
Minister for Water, Property & Housing

<b>Column 1</b>	<b>Schedule</b>
Rural Services	<b>Column 2</b> Part Reserve No. 81825 Part being Lot 11 Section 10 DP 758205 Public Purpose: Public Recreation, Public Hall Notified: 31-Jul-1959 File Reference: R81825/PURP001/001

**Financial Implications**

Nil

**Recommendation**

**That the additional purposes of Community Purposes, added to Reserve 81309 (Enngonia War Memorial Hall), and Rural Services added to Reserve 81825 (Byrock Community Hall), be noted.**



**14.3 \*\*\* 2022/2023 ADOPTED FEES AND CHARGES**

**File Number:** F1.1  
**Author:** Dwayne Willoughby, Manager Environmental Services  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

**Background**

Council’s Delivery Programme 2022/2026 and Operational Plan for 2022/2023 and the making of Rates and Charges for 2022/2023 (Resolution 2022/139) were adopted on 27 June 2022.

The hire fee for the Bourke Sporting Complex Area A – JB Renshaw, did not reflect the recently upgraded facilities.

**Current Situation**

Upgrades to the Bourke Sporting Complex Area A - JB Renshaw have now been successfully completed. An increased security deposit fee to coincide with the hire of the facility is now proposed to protect the upgraded assets if damage was to occur during hire of the facility. If no damage is recorded after the hiring the security deposit will be returned to the hirer of the facility.

The following fees are proposed:

Area	Current Fee	New Fee
Pavilion/Grounds Hire	\$320.00 per day	Nil change
Arena Lights	At Cost	At Cost
Stable fee – per day	\$3.00	Nil change
Stable fees – per week	\$12.00	Nil change
<b>Security Deposit for Pavilion Hire</b>	<b>\$1000.00</b>	<b>\$2500.00</b>
Electricity	At Cost	At Cost

**Financial Implications**

The increased security deposit fee for the Bourke Sporting Complex, Area A- JB Renshaw will assist in repairs needed if any damage were to occur when the facility is hired.

**Recommendation**

- 1. That the Security deposit fee for the hire of the Bourke Sporting Complex, Area A – JB Renshaw, be increased from the current fee of \$1000.00 to the proposed fee of \$2500.00.**
- 2. That the proposed fee be advertised for a period of 28 days and that the matter be referred back to Council setting out details of any objections.**
- 3. That in the event of no objections being received to the proposal, the increased security deposit be adopted.**

**14.4 STATE OF THE ENVIRONMENT REPORT****File Number:** E6.3.1**Author:** Dwayne Willoughby, Manager Environmental Services**Authoriser:** Leonie Brown, General Manager**Attachments:** 1. State of the Environment Report [↓](#) **Background**

This report is to inform Council of the 2021-2022 State of the Environment Snapshot Report for the Bourke Shire Council Local Government Area.

**Current Situation**

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, including Bourke Shire Council, have joined to produce Regional SoE Reports as part of Council reporting requirements.

Changes to NSW legislation mean that Councils are no longer required to produce SoE Reports each year, but only once every four years, 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 Regional SoE report that covers trends in the intervening years.

Presented in the attached for Council's information is the State of the Environment Report, a brief snapshot of data for the Bourke Local Government Area in 2021-2022 across a range of environmental indicators.

**Financial Implications**

Nil.

**Recommendation**

**That the information in the 2021-2022 State of the Environment Snapshot Report in respect of the Bourke Shire Council area, be noted**



# State of the Environment Snapshot 2021-22



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.

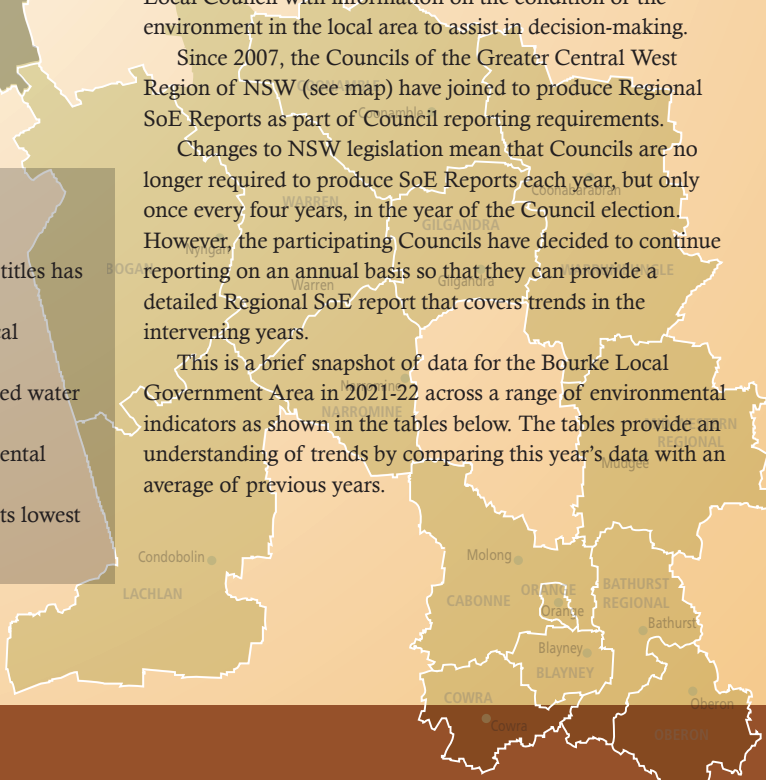
Since 2007, the Councils of the Greater Central West Region of NSW (see map) have joined to produce Regional SoE Reports as part of Council reporting requirements.

Changes to NSW legislation mean that Councils are no longer required to produce SoE Reports each year, but only once every four years, 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 Regional SoE report that covers trends in the intervening years.

This is a brief snapshot of data for the Bourke Local Government Area in 2021-22 across a range of environmental indicators as shown in the tables below. The tables provide an understanding of trends by comparing this year's data with an average of previous years.

## 2021-22 Highlights

- ⬇️ The area covered by mining and exploration titles has steadily increased.
- ⬆️ The number of native fish re-stocked into local waterways has increased.
- ⬆️ Water consumption through Council's metered water supply decreased from last year.
- ⬆️ The number of volunteer hours on environmental projects increased from last year.
- ⬆️ Council's greenhouse gas emissions were at its lowest level in the past four years.



## Land

Issue	Indicator	2017-18	2018-19	2019-20	2020-21	2021-22	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	21	17	12	18	18	⬇️
	Landuse conflict complaints (number)	2	0	1	1	0	⬆️
	Loss of primary agricultural land through rezoning (ha)	0	0	0	0	0	➡️
Minerals & Petroleum	Number of mining and exploration titles			18	18	21	⬇️
	Area covered by mining and exploration titles (ha)	118,000	189,000	229,000	342,000	390,000	⬇️

⬆️ improvement   ➡️ no or little change   ⬇️ worsening trend

Note - the trend is based on comparing the average of the four previous years of reporting with 2021-22

## Biodiversity

Issue	Indicator	2017-18	2018-19	2019-20	2020-21	2021-22	Trend
Habitat Loss	Total area in the National Parks Estate (ha)	266,000	266,000	266,000	273,000	270,000	↕
	Total area of State Forests (ha)	0	0	0	0	0	↔
	Total area protected in Wildlife Refuges (ha)			181,000	132,000	181,000	↕
	Area protected in conservation reserves & under voluntary conservation agreements (ha)	19	19	368	366	368	↕
	Extent of Traveling Stock Reserves in LGA (ha)		206,000	226,000	227,000	210,000	↘
	Proportion of Council reserves that is bushland/remnant vegetation	56%	58%	58%	58%	58%	↕
	Habitat areas revegetated (ha)	0	0	0	0	0	↔
	Clearing complaints (number)	0	0	0	1	1	↘
	Roadside vegetation management plan (Yes/No)	Yes	Yes	Yes	Yes	Yes	↔
	Roadside vegetation rehabilitated (ha)			0		20	↔
Threatened Species	Threatened species listed (number)			83	82	82	↕
	Threatened species actions implemented (e.g. PAS, recovery plans) (number)	0	0	0	0	0	↔
	Fish restocking activities: native species (number)	5,000	0	0	53,226	121,000	↕
Noxious weeds and feral animals	Fish restocking activities: non-native species (number)	0	0	0	0	0	↔
	Number of declared priority weeds	85	85	83	91	92	↘
	Invasive species (listed priority or WONS) under active management (number)	11	9	10	10	10	↔

## Towards Sustainability

Issue	Indicator	2017-18	2018-19	2019-20	2020-21	2021-22	Trend
Waste Generation	Total waste entombed at primary landfill (tonnes)	1,650	2,021	1,763	2,197	2,494	↘
	Total waste entombed at other landfills (exc recyclables) (tonnes)	180	115	108	112	59	↕
	Average total waste generated per person (tonnes)	0.67	0.81	0.72	0.88	1.06	↘
	Average cost of waste service per residential household	\$284	\$285	\$285	\$285	\$285	↘
Hazardous/Liquid Waste	DrumMuster 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)	420	333	229	210	278	↘
	E-Waste collected (diverted from landfill) (tonnes)	4	2	3	8	0.5	↘
Recycle	Volume of material recycled (tonnes)	276	157	240	4	23	↘
	Volume of material recycled per person (kg)	102	60	93	2	10	↘
Littering and illegal dumping	Number of illegal waste disposal complaints to Council	15	8	4	5	4	↕
Engineering, Infrastructure and Civil Works	New road construction (km)	0	0	34	3	30	↘
	Road upgrades (km)	62	77	37	71	21	↕
Risk Management	Flood management plans/ flood mapping - increase in area covered (ha)	0	100	100	0	0	↘
	Hazard reduction burns (number)	0	1	5	15		↕
Climate Change Mitigation	Office paper used by Council (A4 & A3 reams)	319	374	370	384	346	↕
	Council sustainability initiatives (number)	5	4	4	4	4	↘
	Council mitigation initiatives (number)	1	3	3	3	4	↕
Council Greenhouse Gas Emissions	Annual electricity consumption for Council controlled facilities (MWh)					0	↔
	Annual natural gas consumption for Council controlled facilities (Gj)					0	↔
	Annual bottled gas consumption for Council controlled facilities (L)				0	0	↔
	Total fuel consumption (KL)			606		529	↕
	Proportion of Council's electrical energy demand met from council-owned renewable energy infrastructure			0.0%	0.0%	0.0%	↔
	Council total operational greenhouse gas emissions (tCO <sub>2</sub> -e/year)	3,284	3,450	3,607	3,391	2,902	↕
Community Greenhouse Gas Emissions	Small scale renewable energy uptake (kW installed)	565	246	371	477	650	↕
	Number of solar water heaters and heat pumps installed		0	1	0	0.96	↕

## Water and Waterways

Issue	Indicator	2017-18	2018-19	2019-20	2020-21	2021-22	Trend
Water extraction	Number of Water Supply Work Approvals from surface water sources			92	116	101	↑
	Volume of surface water permissible for extraction under licences (GL)			99	101	100	↑
	Actual volume extracted through surface water licences (GL)				117	121	↓
	Number of Water Supply Work Approvals from groundwater resources			690	696	700	↓
	Volume of groundwater permissible for extraction under licences (GL)			3.8	3.8	3.8	→
	Actual volume extracted through groundwater licences (GL)			1.6	1.3	0	↑
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)	477	445	345	448	380	↑
	Annual consumption (Total from WTP) (ML)	1,750	1,156	1,204	1,204	1,407	↓
	Average annual household mains potable water usage (kL)			0.0	0.0	0.0	→
	Average level of water restrictions implemented	1.0	5.0	3.0	2.0	0.0	↑
	Water conservation programs (number)	1	1	2	2	2	↑
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)	1,633	1,412	3,208	1,174	885	↑
	Exceedances of license discharge consent recorded (number)	0	0	0	0	2.5	→
	Erosion & Sediment Control complaints received by Council (number)	1	2	0	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	6	9	8	22	19	↓
	Number of drinking water complaints	0	4	0	0	0	↑

## People and Communities

Issue	Indicator	2017-18	2018-19	2019-20	2020-21	2021-22	Trend
Active community involvement	Environmental volunteers working on public open space (hours)				200	400	↑
	Number of environmental community engagement programs	3	2	4	3	2	↓
	Number of growers' markets/local food retailers specialising in local food	10	6	4	2	4	↓
Indigenous Heritage	Number of Indigenous sites on AHIMS register	1,221	1,337	1,359	1,378	1,381	↑
	Inclusion in DCPs & rural strategies (yes/no)	1	1	1	1	1	→
	Extent of liaison with Indigenous communities (self-assessed from 0 = none to 3 = High)			3.0	3.0	3.0	→
	Development approvals on listed Indigenous sites (number)	0	0	0	0	0	→
	Number of indigenous heritage management actions/responses	2	1	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)	1	0	0	0	1	↓
	Heritage buildings on statutory heritage lists renovated/improved in past year (number)	2	3	3	1	1	↓





Mount Gunderbooka waterhole



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## 15 GENERAL MANAGER

### 15.1 \*\*\* REVIEW OF ORGANISATIONAL STRUCTURE

**File Number:** S6.1  
**Author:** Leonie Brown, General Manager  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

#### Background

Section 332 of the NSW Local Government Act provides as follows:

#### **332. Determination of structure**

*(1) A council must, after consulting the general manager, determine the following—*

- (a) the senior staff positions within the organisation structure of the council,*
- (b) the roles and reporting lines (for other senior staff) of holders of senior staff positions,*
- (c) the resources to be allocated towards the employment of staff.*

*(1A) The general manager must, after consulting the council, determine the positions (other than the senior staff positions) within the organisation structure of the council.*

*(1B) The positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.*

Section 333 of the Act provides for redetermination and review of the structure as follows:

#### **333 Re-determination and review of structure**

*The organisation structure may be re-determined under this Part from time to time. The council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.*

It is also advised that Section 334(2) of the Act provides that “*the position of general manager is a senior staff position*” and further at Section 333 (2) that:

*“A council may not determine a position to be a senior staff position unless—*

- (a) the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award, and*
- (b) the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3B of the Statutory*

*and Other Officers Remuneration Act 1975 payable with respect to senior executives whose positions are graded Band 1 under the Government Sector Employment Act 2013.”*

### **Current Situation**

It is advised that none of Councils five (5) Departmental Managers receive packages that meet the above mentioned minimum Band 1 level and accordingly they are not designated Senior Staff, as per the Act. Rather, they are employed under the NSW Local Government Award as opposed to being appointed to their positions on 5-year Contracts. It would not be proposed to change this employment arrangement with Councils only Senior Staff employee to remain as the General Manager.

Whilst the Act makes reference to a proposed senior staff structure for adoption by Council, in the case of Bourke, and on the assumption that Council maintains the position that the General Manager is the only employee designated as such, the Act then requires that the General Manager must, after consulting the Council, determine the positions (other than the senior staff positions) within the organisation structure of the Council.

To this end, and following a review of Councils Departments, it is proposed to maintain Councils existing five (5) department structure comprising:

- Corporate Services;
- Economic Development;
- Environmental Services;
- Roads Services; and
- Works Services.

Managers head up these Departments and they report to and are accountable to the General Manager.

Bourke Shire Council is a diverse operation and this structure has served the organisation well, both in the past and currently. No doubt that during the operation of the structure until it is again formally reviewed within 12 months after the next Council election in September 2024, minor tweaks or amendments will be made to assist in optimising the efficient and effective delivery of services to our community and organisational performance.

### **Financial Implications**

The Act also requires Council to determine the allocation of resources towards the employment of staff. These resources have been set by the Council in adopting the Operational Plan and the structure as reported herewith is within the allocated resources.

### **Recommendation**

- 1. That in accordance with Section 332 of the Local Government Act 1993, Council endorse the General Manager as its only senior staff designated employee.**
- 2. That Council notes the five (5) department structure as determined by the General Manager comprising Corporate Services / Economic Development / Environmental**



**Services / Roads Services and Works Services Departments.**

**16 CORPORATE SERVICES DEPARTMENT****16.1 \*\*\* BANK RECONCILIATION & STATEMENT OF BANK BALANCES**

**File Number:** F1.1  
**Author:** Ang Pasang Rai, Manager Corporate Services  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

**Bank Reconciliation for the period ending 31 October 2022**

Balances as per Bank Statement	\$1,652,309.91
Plus: Deposit not shown	\$6,425.69
Less: Unpresented Cheques	\$9,795.23
<b>Balance as per Cash Book</b>	<b>\$1,648,940.37</b>

**Reconciled Ledger Accounts as at 31 October 2022**

Fund or Account	Current Balance	Overdraft Statutory Limit
General	\$24,593,327.67	\$200,000.00
Water	\$2,666,179.10	
Sewer	\$2,895,747.00	
Trust	\$111,292.38	
	<b>\$30,266,546.14</b>	

**Investments as at 31 October 2022**

Institution	Inv. No.	Maturity Date	Value	Rate	Term	S&P
National Australia Bank	5	01/08/2023	\$1,088,291.01	4.02%	330 Days	A1+
National Australia Bank	12	04/11/2022	\$456,379.79	0.70%	360 Days	A1+
National Australia Bank	4	06/04/2023	\$3,036,222.84	3.73%	365 Days	A1+
National Australia Bank	6	21/09/2023	\$1,106,825.39	4.30%	365 Days	A1+
National Australia Bank	17	06/06/2023	\$2,014,665.26	3.05%	182 Days	A1+
National Australia Bank	7	29/03/2023	\$2,015,448.77	4.05%	180 Days	A1+
National Australia Bank	10	30/11/2022	\$1,158,167.48	0.55%	365 Days	A1+
National Australia Bank	16	24/05/2023	\$678,210.58	2.80%	330 Days	A1+
National Australia Bank	8	11/01/2023	\$3,119,158.82	3.41%	365 Days	A1+
National Australia Bank	13	02/01/2023	\$3,065,270.42	0.07%	360 Days	A1+
National Australia Bank	9	09/08/2023	\$707,486.48	0.04%	360 Days	A1+
National Australia Bank	15	22/12/2022	\$1,730,366.78	1.07%	300 Days	A1+
National Australia Bank	1	09/11/2022	\$1,505,944.53	2.72%	272 Days	A1+
Commonwealth Bank	2	15/02/2023	\$2,000,000.00	3.76%	210 Days	A1+
Commonwealth Bank	3	17/03/2023	\$2,000,000.00	3.88%	240 Days	A1+
National Australia Bank			\$2,935,167.62	Flex		

<b>Total Investments</b>			<b>\$28,617,605.77</b>			
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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 2022**

<b>Balance as per cash book</b>	<b>\$1,648,940.37</b>
<b>Investments</b>	<b>\$28,617,605.77</b>
<b>Total, equalling Reconciled Ledger</b>	<b>\$30,266,546.14</b>

**Statement of Bank Balances as at 31 October 2022**

	<b>Balance</b>	<b>Transaction</b>	<b>Balance</b>
	<b>30 September 2022</b>		<b>31 October 2022</b>
General Fund	\$23,655,022.56	\$938,305.11	\$24,593,327.67
Water Fund	\$2,710,847.27	\$-44,668.17	\$2,666,179.10
Sewer Fund	\$2,914,810.82	\$-19,063.82	\$2,895,747.00
Trust Fund	\$103,556.38	\$7,736.00	\$111,292.38
Investments	\$-28,595,907.40	\$-21,398.38	\$-28,617,605.78
<b>Totals</b>	<b>\$788,329.63</b>	<b>\$860,610.74</b>	<b>\$1,648,940.37</b>

**Balance of all Funds as at 31 October 2022**

<b>Balance as at 30 September 2022</b>	<b>\$788,329.63</b>
<b>Add Receipts for</b>	
(a) Rates	\$344,761.00
(b) Other Cash	\$2,954,830.38
<b>Deduct payments for</b>	
(a) Payments	\$1,716,814.79
(b) New Investment	\$722,165.85
<b>Balance as at 31 October 2022</b>	<b>\$1,648,940.37</b>

**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 2022 be noted.**

**16.2 \*\*\* INVESTMENT REPORT AS AT 31 OCTOBER 2022**

**File Number:** F1.1  
**Author:** Ang Pasang Rai, Manager Corporate Services  
**Authoriser:** Leonie Brown, 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 2022/2023 Budget estimated the total investment revenue as \$295,000 which represents an estimated return of 1.475%. 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 2022 is \$28,617,605.77

Investment income earned as at 31 October 2022 is \$74,677.05

**1. Policy Provisions – Council Policy and Procedure**

Policy 1.8.10(v5) – Investment Policy adopted 23 July 2020.

Ministerial Investment Order – 12 January 2011

**2. 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 2022**

Institution	Inv. No.	Maturity Date	Value	Rate	Term	S&P
National Australia Bank	5	01/08/2023	\$1,088,291.01	4.02%	330 Days	A1+
National Australia Bank	12	04/11/2022	\$456,379.79	0.70%	360 Days	A1+
National Australia Bank	4	06/04/2023	\$3,036,222.84	3.73%	365 Days	A1+
National Australia Bank	6	21/09/2023	\$1,106,825.39	4.30%	365 Days	A1+
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National Australia Bank	7	29/03/2023	\$2,015,448.77	4.05%	180 Days	A1+
National Australia Bank	10	30/11/2022	\$1,158,167.48	0.55%	365 Days	A1+
National Australia Bank	16	24/05/2023	\$678,210.58	2.80%	330 Days	A1+
National Australia Bank	8	11/01/2023	\$3,119,158.82	3.41%	365 Days	A1+
National Australia Bank	13	02/01/2023	\$3,065,270.42	0.07%	360 Days	A1+
National Australia Bank	9	09/08/2023	\$707,486.48	0.04%	360 Days	A1+
National Australia Bank	15	22/12/2022	\$1,730,366.78	1.07%	300 Days	A1+
National Australia Bank	1	09/11/2022	\$1,505,944.53	2.72%	272 Days	A1+
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Commonwealth Bank	3	17/03/2023	\$2,000,000.00	3.88%	240 Days	A1+
National Australia Bank			\$2,935,167.62	Flex		
<b>Total Investments</b>			<b>\$28,617,605.77</b>			

**Term Deposits****Discussions/Comments**

The Investment portfolio increased by \$21,698.38 during the period.

The investment portfolio is invested in term deposits with the National Australia Bank and the Commonwealth 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 2022 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

**16.3 \*\*\* CODE OF CONDUCT - ANNUAL SUMMARY**

**File Number:** P4.1  
**Author:** Ang Pasang Rai, Manager Corporate Services  
**Authoriser:** Ang Pasang Rai, Manager Corporate Services  
**Attachments:** Nil

**Background**

Part 11.1 of the Procedures for the Administration of the Model Code of Conduct, as issued by the NSW Office of Local Government and as adopted by Council, requires the Complaints Coordinator (Manager Corporate Services) to report to Council within three months of the end of September each year on complaint statistics under Council's Code of Conduct as follows:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)*
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period*
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and*
- g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.*

In addition, the Procedures (Part 11.2) require Council "to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year. "

**Current Situation**

It is advised that no Code of Conduct complaints were received during the reporting period from 1 October 2021 to 30 September 2022. In addition, no costs were incurred Accordingly, the statistics for items a) to g), inclusive, as above is NIL.

**Financial Implications**

There are no financial implications arising from this report.

**Recommendation**

- 1. That it be noted that no Code of Conduct Complaints were made about Councillors and the General Manager, or costs incurred, during the reporting period of 1 October 2022 till 30 September 2022.**
- 2. That the Office of Local Government be advised accordingly as per Part 11.2 of the Procedures for the Administration of the Model Code of Conduct.**



**17 ECONOMIC DEVELOPMENT DEPARTMENT**

Nil

**18 DELEGATES AND COUNCILLORS REPORTS**

Nil

**19 POLICIES**

Nil

**20 PRÉCIS OF CORRESPONDENCE**

Nil

## 21 ACTIVITY REPORTS

### 21.1 ACTIVITY REPORT - ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS UNDERTAKEN

**File Number:** E7.1  
**Author:** Paul Flanagan, Manager Roads  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

#### Background

The following information outlines works undertaken from 12 October 2022 to 14 November 2022 inclusive.

Road Works Team – Michael Willoughby – Roads Supervisor	
NORTH TEAM – Denis Tiffen, Team Leader	
Location	Work Carried Out
Thomas Foods car park SH-7 North	Grading commenced
Airport Road	Re-sheeting completed
SOUTH TEAM - John Reed, Team Leader	
Location	Work Carried Out
RLR-10 Louth/Trilby Rd	Re-sheeting commenced
RLR 20 Maintenance grade	Completed
RLR 13 Maintenance grade	Completed
RLR -27 Bullamunta Rd	Re-sheeting commenced
TRANSPORT TEAM - Simon Wielinga, Team Leader	
Location	Work Carried Out
RLR-10 Louth/Trilby Rd	Carting gravel
BITUMEN TEAM – Phillip Harvey, Team Leader	
Bourke Township	Patching undertaken
Regional Roads	Patching undertaken
State Highways	Patching undertaken
SH 7 South of Bourke	Slashing completed
SH 421 Kidman’s Way	Slashing commenced

WORKSHOP – Colin Kiley, Team Leader, Tradesman Plant Mechanic			
Plant no	Rego	Description	Work Carried Out
49	CL84LV	Hino Tipper	Remove glovebox, tail shaft, clutch and flywheel, send flywheel away for machining and replace clutch kit
59	Z37484	2014 Transtech Quadaxle	Remove and replace damaged hoses, repair toolbox

82	X50827	2012 Barge Engineering	Remove old damaged lights and replace with new led lights, repair wiring
98	P95816	Box Trailer	Remove and replace taillight and repair wiring
103	TF51EG	2013 Caterpillar 12M	Repair wiring on taillight
108	63723D	Toro	Remove and replace blades and deck wheel, remove and replace broken linkage on deck arms
110	43961D	2015 Toro	Diagnosed ride slow speed, found seized linkages, remove and clean, lubricate and reassemble
116	P17060	Safety Trailer	Repair fuel leaks
123	DB78LA	Mitsubishi Pajero	Service carried out
132	CP22CH	John Deere	Found engine fault, remove and replace intercooler hoses, replace and adjust blade
134	94196D	2019 John Deere	Removed and replace air seat and repair seat
145	DD36KX	Ford Ranger	Service carried out
146	TC61FS	Ford Ranger	Service carried out, repaired wiring on fuel pod
150	BV55RE	2013 Caterpillar 12M	Repair air conditioner
181	CV24HL	Mitsubishi triton	Service carried out, remove and replaced front and rear brakes
188	09245E	John Deere	Service carried out
190	CY21LY	Mazda BT 50	Service carried out
196	P87976	Box Trailer	Repair wiring and adjust wheel bearings
219	XO52KJ	202 Isuzu	Carried out service, repair grease lines and adjust hydraulic pump, fix broken grease lines
236	J43715	Highgate water Tanker	Remove and replace - rocker box, torque bushes, rear signs and lights, repair wiring
238	TB84BR	2016 Moore Tri Axle Tanker	Remove and replace rocker box and torque rubbers, signs and lights, adjust brakes and replace mudflap
239	TB85BR	2016 Moore Tri Axle Tanker	Remove and replace rocker box and torque rod rubbers, signs, lights and mudflaps
242	19326E	Toro	Check over and tighten, remove and replace blades
244	19334E	Toro	Carried out service, remove and replace deck wheel
257	XO89ED	2021 Hino	Service carried out, replace bolts and repair cooler wiring
370		Wing Slasher	Remove old wiring stuck around blade drive
371		Slasher	Dismantle pto shaft, remove and replace clutch. Reassemble shaft and adjust clutch plates
403	CV46DV	Isuzu D-Max	Carried out service
404	XN30QQ	2010 Isuzu	Remove and replace shackle pins and bushes, repair tarp, repair tipper body and tail gate
450	CV47LT	Ford Ranger	Carried out service, fit phone kit
506	XN65HG	Kenworth Primemover	Carried out service

511	73229D	Smooth Drum Roller	Remove and replace blown hose
520	YN03BI	Moores Trailers	Repair air leaks
		Welding	Build new gates and hand rails Gate for SES shed
		Plant registrations	Various
<b>Staff Training</b>		Nil	

**Recommendation**

**That Council note the information in the Roads Department Road Works and Workshop Activity Report as presented to Council on Monday, 28 November 2022.**

**21.2 ACTIVITY REPORT - PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER ENGINEERING SERVICES ACTIVITY REPORT**

**File Number:** E7.1  
**Author:** Peter Brown, Manager Works  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

**Background**

The following information outlines works completed for the period of 12 October 2022 to 14 November 2022 inclusive.

**Current Situation**

<b>PARKS &amp; GARDENS – Frank Hollman, Team Leader</b>	
<b>Location</b>	<b>Work Carried Out</b>
<b>General</b>	All parks and sporting grounds gardens - regular mowing and maintenance completed. Sporting grounds facilities cleaned and maintained. Public toilets cleaned and maintained. Cleaned facilities. General graffiti removal carried out on Council facilities.
<b>Small Plant</b>	Maintenance and service carried out on all ground plant.
<b>Works Requests</b>	Actioned and ongoing.
<b>1 Tudor St</b>	General maintenance carried out.
<b>Wharf</b>	General maintenance carried out.
<b>Council Office</b>	General maintenance carried out.
<b>Renshaw Complex</b>	Grounds, facilities cleaned and maintained.
<b>Coolican Oval</b>	General maintenance carried out.
<b>Davidson Oval</b>	General maintenance carried out. Prepare ground for Junior cricket.
<b>Central Park</b>	Skate Park - regular mowing and maintenance carried out, including, graffiti removal.
<b>Villages</b>	Mow grounds, facilities cleaned and maintained.
<b>Airport</b>	Mowed airstrip.
<b>Darling Park</b>	General maintenance carried out.
<b>Staff Training</b>	Nil

<b>TOWN SERVICES– Troy Hayman, Team Leader</b>	
<b>Location</b>	<b>Work Carried Out</b>
<b>Work Requests</b>	Actioned and ongoing
	Weekly sand footpaths
	Weekly Town mowing

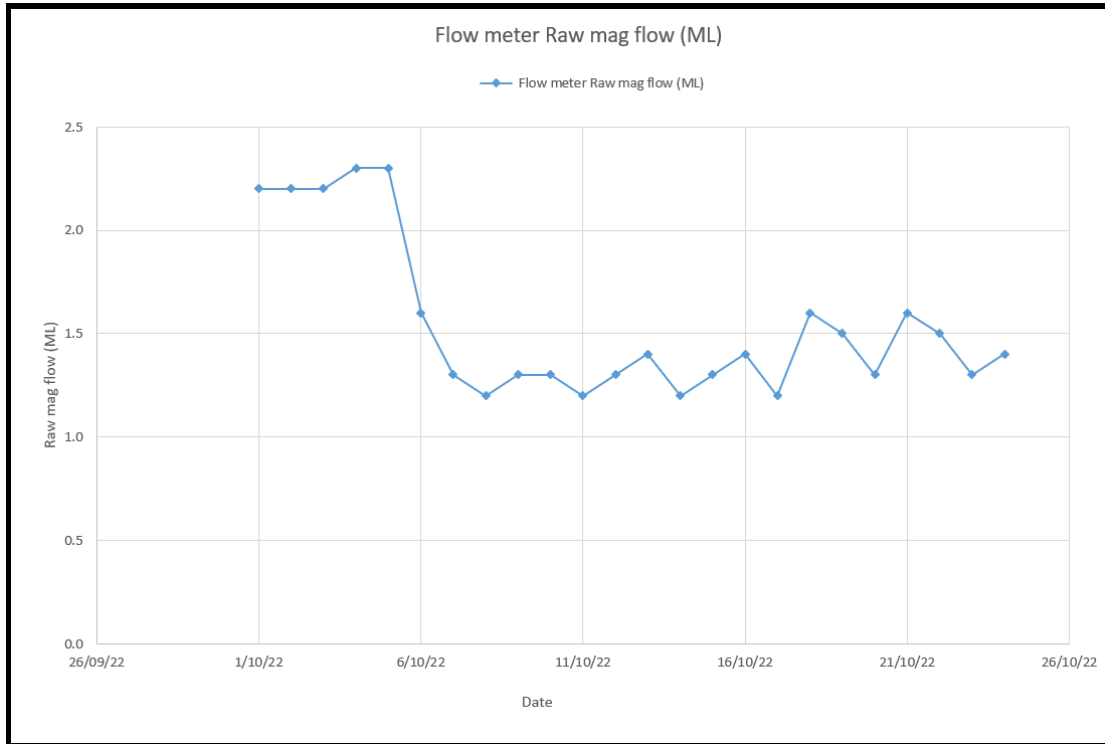
	Daily Main Street Program
	Airport Slashing and Mowing
	Town Slashing and Laneways
	Town Poisoning
	Monthly airport inspections Louth & Wanaaring
<b>Cemetery</b>	Prepared grave
<b>Rest Areas</b>	Weekly rubbish removal, cleaning along roadside, pressure clean and mow Cobar rest area
	Monthly service and roadside rubbish removal
	Water at rest area 65km Cobar Road
<b>Staff Training</b>	Nil
<b>Works Request</b>	Check pump stations for floods
	Clean out drain pits in Anson Street
	Deliver crusher dust to Bourke Pool
	Deliver gravel to top of levee bank
	Sand delivered to North Bourke for sandbags
	Set up pump in Anson Street, to pump water from drain
	Pump water from Oxley Street yard
	Remove fallen trees from footpath in Hope Street
	Remove fallen tree in driveway in Hope Street
	Relieving at waste depot
	Pruning programme along footpaths
	Deliver gravel to Charles Street water tower
	Gravel driveway in Short Street
	Pour slab for IGA bin taxi shelter
	Clean lane way drain at North Bourke Sub Division alongside fence and clean out culverts
	Deliver mulch to Exhibition Centre
	Pick up of 3 pallets from Rural Fire Service, North Bourke
	Clean cameras around Town
	Install new bin in Main Street
	Cart crusher dust for grader to Riverview Motel laneway
	Cart gravel to Renshaw for grader to spread and roll
	Install new bin in front of Commonwealth Bank
	Mow laneway behind Police Station and IGA
	Mow footpath at old Diggers on the Darling and Gidgee guesthouse
	Weld new hinges on levee bank pump station
	Deliver crusher dust to Percy Hobson Park
	Crane Percy Hobson Park to erect shade poles
	Prune trees in Becker and Tudor Street
	Deliver pavers to Percy Hobson Park
	Inspect daily - Town levee banks
	Deliver sand to Percy Hobson Park
	Remove dead animal from Meek and Denman Street
	Deliver gravel to wash bay at Renshaw Complex
	Deliver crusher dust to Oxley Street

	Install pipe in driveway in Tarcoon Street
	Erect new give way sign corner of Short and Mooculta Street
	Erect signage for sewer well at Warraweena Street
	Crane sewer well Warraweena Street

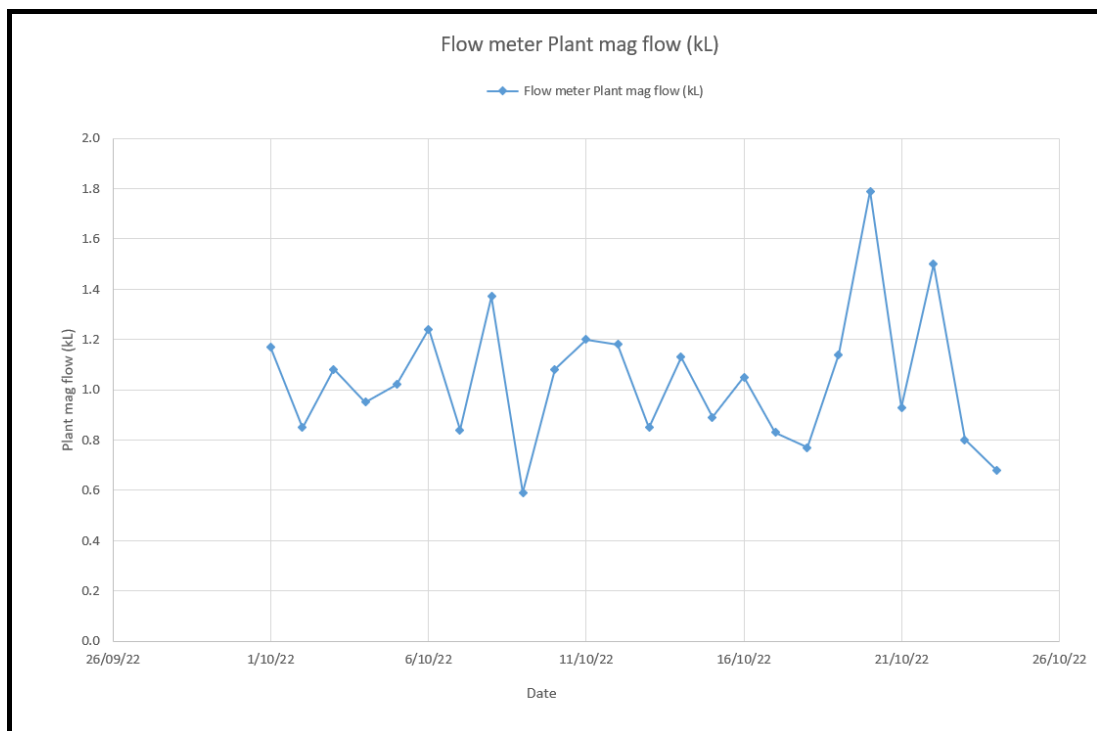
<b>WATER &amp; WASTEWATER – Shane Hopley, Team Leader</b>	
<b>Water Supply Planned Maintenance</b>	
6 Denman Street	Sewer Choke
2 Coomah Street	Sewer Choke
133 Anson Street	Sewer Choke
2 Bloxham Street	Sewer Choke
2 Mitchell Street	Sewer Choke
Anson Street	Sewer Choke
Culgoa Street	Sewer Choke
100 Oxley Street	Sewer Choke, dug sewer main and cleared choke
48 Tudor Street	Sewer Choke, dug sewer main and cleared choke
Yanda Street	Sewer Choke, dug sewer main and cleared choke
Warraweena Street	Sewer main collapsed, set up bypass pump, dug and repaired main
70 Hope Street	Repair leaking 20mm filtered water service
5 Wortumertie Street	Repair leaking 20mm filtered water service
6 Harris Street	Repair leaking 20mm filtered water service
30 Meadows Road	Repair leaking 20mm filtered water service
50 Oxley Street	Repair leaking 20mm filtered water service
2 Richard Street	Dug 100mm filtered water main and repair main
Back O Bourke Centre	Repaired 50mm poly raw water line
22 Hope Street	Dug 100mm raw water main and repaired 25mm service
61 Oxley Street	Dug 100mm raw water main and repaired main
38 Oxley Street	Dug 100mm raw water main and repaired main
Oxley Street	Dug 100mm raw water main and repaired main
Meek Street	Dug 100mm raw water main and repaired main
18 Warraweena Street	Dug 150mm raw water main and repaired main
58 Oxley Street	Repair storm water and filtered water leak
25 Mitchell Street	Rise hydrant
Back O Bourke Centre	Repair leaking taps
Percy Hobson Park	Move crusher dust
Wharf	Repair toilet not flushing
Skate Park	Clean out storm water drain
Gun Club	Clean up around septic and fill in holes Dug storm water install bypass
Pool	Replace sump pump in storm water
Store Depot	Remove unused sink
Medical Complex	Replace broken toilet and repaired leaking toilet
New toilet Depot	Connect water and drainage
Charles Street	Clean up
Louth	Check and plug storm water pipes
	Read meters
	Install water meter raw water standpipe

	Install water meter filtered water standpipe
Alice Edwards Village	Routine maintenance and monitoring as per ACP Management Plan
Clara Hart Village	Routine maintenance and monitoring as per ACP Management Plan
Training	Nil

**Raw Flow Meter**

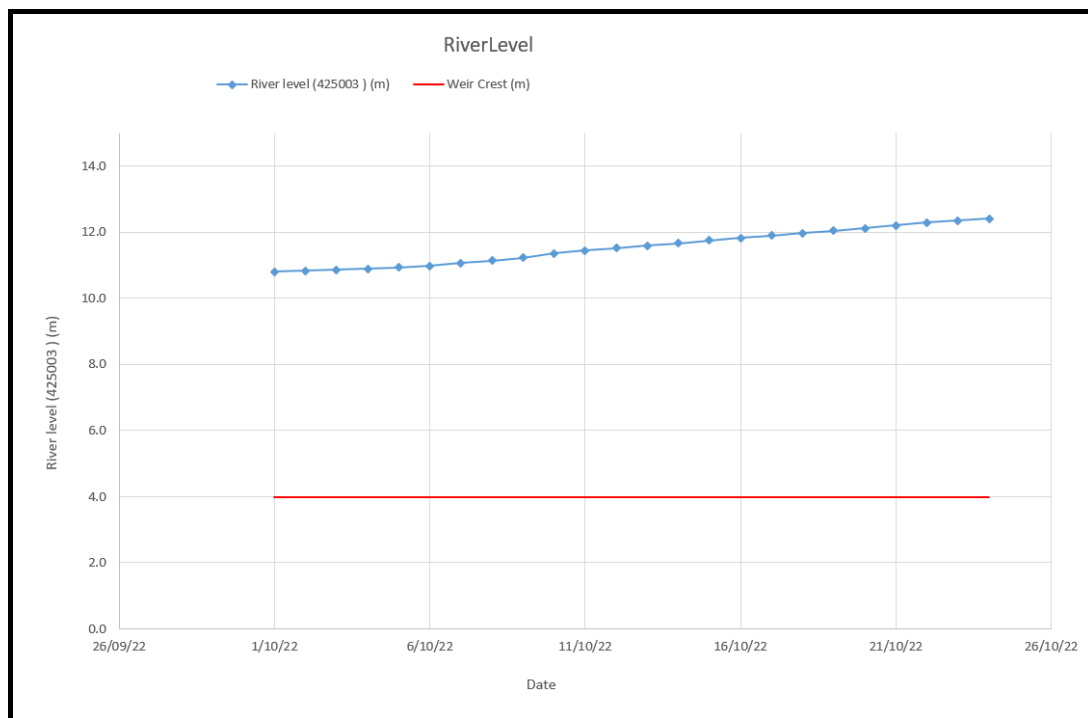


**Plant Flow Meter**





**Current River Levels**



**Chemical Reading**

Process	Parameter	Minimum	Average	Maximum	Lower critical lim	Upper critical lim	No. of samples
River level	River level (425003)	10.80	11.54	12.40	3.9		24
Raw Water	pH	7.37	7.69	7.93			24
Raw Water	turbidity	46.00	84.83	125.00			24
Filtered water	pH	7.15	7.29	7.43	6.5	8.7	24
Tower	Free Cl2	1.29	2.87	4.46	0.2	5.0	24
Bourke High School	Free chlorine	1.60	1.65	1.70	0.2	4.0	2
Bourke High School	pH	7.50	7.50	7.50	6.5	8.5	2
Bourke High School	Turbidity	0.18	0.20	0.22	0.0	0.5	2
WTP	Free chlorine	2.00	2.00	2.00	0.2	4.0	1
WTP	pH	7.46	7.46	7.46	6.5	8.5	1
WTP	Turbidity	0.22	0.22	0.22	0.0	0.5	1
Bourke Primary School	Free chlorine	1.25	1.25	1.25	0.2	4.0	1
Bourke Primary School	pH	7.53	7.53	7.53	6.5	8.5	1
Bourke Primary School	Turbidity	0.19	0.19	0.19	0.0	0.5	1
Meadows Rd	Free chlorine	1.60	1.75	1.90	0.2	4.0	2
Meadows Rd	pH	7.50	7.53	7.56	6.5	8.5	2
Meadows Rd	Turbidity	0.18	0.21	0.23	0.0	0.5	2
Mitchell St	Free chlorine	-	#DIV/0!	-	0.2	4.0	0
Mitchell St	pH	-	#DIV/0!	-	6.5	8.5	0
Mitchell St	Turbidity	-	#DIV/0!	-	0.0	0.5	0
Alice Edwards Villa	Free chlorine	1.00	1.05	1.10	0.2	4.0	2
Alice Edwards Villa	pH	7.55	7.58	7.60	6.5	8.5	2
Alice Edwards Villa	Turbidity	0.20	0.23	0.25	0.0	0.5	2

**Monthly Readings**

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
November 2021	81	31	16,326	1,356
December 2021	108	36	20,589	1,234
January 2022	113	34	25,364	1,463
February 2022	129	31	29,523	1,958
March 2022	140	37	28,561	1,621
April 2022	104	33	10,985	1,563
May 2022	77	29	9,456	1,963
June 2022	40	29	8,562	1,836
July 2022	45	27	10,254	1,518
August 2022	49	25	15,321	1,622
September 2022	55	30	9,635	1,532
October 2022	37	22	7,862	1,544

**Treatment Plant EPA Licence Compliance**

Record of Effluent Analysis

Pollutant	Unit Of Measure	Licence 100 Percentile Concentration Limit	Jul 2022 Test	Aug 2022 Test	Sept 2022 Test
Oil & Grease	mg/L	10	4	<2	<2
pH		6.5-8.5	8.33	7.97	7.86
Nitrogen (total)	mg/L	15	11.6	14.3	8.8
Phosphorus (total)	mg/L	10	4.46	5.90	3.80
Total suspended solids	mg/L	20	49	<5	8
Biochemical oxygen demand	mg/L	15	10	6	5

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 2022 was 160.8 mm
- Hottest day for October 2022 was 25.8 degrees
- Coldest day for October 2022 was 13.8 degrees

**Recommendation**

**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, 28 November 2022.**

**21.3 PLANNING, REGULATORY & ENVIRONMENTAL SERVICES - ACTIVITY REPORT**

**File Number:** D3.1-A11.1-A8.1-T5.1-S10.1  
**Author:** Dwayne Willoughby, Manager Environmental Services  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

**Current Situation**

<b>Development Approvals</b>			
<b>Delegated Authority or Council</b>	<b>Consent Type &amp; Consent No.</b>	<b>Subject Land</b>	<b>Nature of Development</b>
Delegated	DA 2023/0007	Lot 1, DP 207183 78 Tudor Street, Bourke	Construction of residential shed
Delegated	DA 2023/0005	Lot 1, DP 502912 2 Coomah Street, Bourke	Installation of transportable dwelling with associated structures
Delegated	DA 2023/0004	Lot 2, Section 3, DP 758144 44 Mitchell Street, Bourke	Construction of shade structure over existing bowling green

Total value of Approved works for October 2022	= \$1,148,000
No. of Development Application Approvals for October 2022	= 3
No. of Complying Development Application Approvals for October 2022	= 0

<b>Building Services Report</b>	
<b>Location</b>	<b>Work Carried Out</b>
<b>Work Requests</b>	Actioned and ongoing
<b>Risk Assessments</b>	Completed with every job
<b>Training</b>	Nil
<b>Contractors</b>	Maintenance works completed as required Upgrade works completed as per Operational Plan
<b>Buildings</b>	Maintenance works completed as required
<b>Airport</b>	Maintenance works completed as required

<b>Animal Control</b>		
<b>Bourke Shire Council Holding Facility</b>	<b>Dogs</b>	<b>Cats</b>
Animals in Pound beginning of Month	3	0
Seized	4	0
Surrendered	2	0
Handed in by members of the public	1	0
Dumped at pound	0	0
<b>Total</b>	<b>10</b>	<b>0</b>
Euthanised	3	0
Released to Owner	1	0
Adopted	0	0
Re-housed	0	0
Died in Pound	0	0
Escaped from Pound	0	0
Animals Remaining at End of Month	6	0
<b>Total</b>	<b>10</b>	<b>0</b>
Stock Rested in Stock Yards	55	

- Attended complaints regarding 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, as required.
- Patrols of Councils Reserves.

<b>Swimming Pool Attendance for October 2022</b>	
<b>Adults</b>	419
<b>Children (2+)</b>	1000
<b>Children (&lt;2)</b>	120
<b>School Groups/Other</b>	340
<b>Total for Month</b>	<b>1879</b>

**Recommendation**

**That the information in the Planning, Regulatory and Environmental Services Activity Report as presented to Council on Monday, 28<sup>th</sup> November 2022 be received and noted.**

**21.4 GENERAL MANAGER'S ACTIVITY REPORT**

**File Number:** G2.1  
**Author:** Leonie Brown, General Manager  
**Authoriser:** Leonie Brown, General Manager  
**Attachments:** Nil

**27 October 2022**

**Single-Use Plastics Ban**

Next Tuesday is 1 November 2022 and apart from being Melbourne Day, it is the day that the NSW Government has decreed to commence a ban on single-use plastic items, including:

- straws, stirrers, cutlery, plates, bowls and cotton buds
- expanded polystyrene food ware and cups
- rinse-off personal care products containing plastic microbeads.

This follows a ban on lightweight plastic bags which commenced in June this year. Single-use plastic items and packaging make up 60% of all litter in NSW. By ending the use of many single-use items an estimated 2.7 billion plastic items will be stopped from polluting our lands and waterways over the next 20 years. For ideas, resources and tips on how to prepare for the ban visit the website:

<https://dpe.mysocialpipoint.com.au/plastics-ban-nsw>

**Draft Far West Regional Plan 2041**

The draft Far West Regional Plan 2041 is a 20-year strategic blueprint to guide and support communities in the Far West Region as they adapt to meet future challenges. This Region includes the Bourke Local Government Area. The Plan is now on exhibition until 21 November 2022, with the draft Plan seeking to ensure the ongoing liveability and sustainability of local communities. It will help the Region become more prosperous and plan for housing, jobs, infrastructure, a healthy environment and connected communities. The first Far West Regional Plan – which looked forward to 2036– was released in 2017. The Department of Planning and Environment reviews and updates regional plans every 5 years to make sure they are relevant for the next 20 years. You can download the draft plan and make a submission via an online form at the following website:

<https://pp.planningportal.nsw.gov.au/draftplans/exhibition/draft-far-west-regional-plan-2041>

**Scammers**

With the Optus data breach occupying many media headlines of late, I was interested to learn from NSW Farmers that Aussie farmers lost more than \$1.2 million to tractor scammers between January and August this year with almost 300 reports of fraudulent sales of tractors and farm machinery reported to the Australian Competition & Consumer Commission's (ACCC) Scamwatch. Naturally, such loses have prompted fresh warnings about online safety and according to the ACCC, farmers should be extra cautious when purchasing farm machinery online, saying scammers are being "ruthless" in their targeted behaviour. The ACCC have advised that scammers were

either sending fake invoices to businesses or selling fake machinery for a discounted price and requesting a 10 to 20 per cent deposit. Whilst fake invoicing has, unfortunately, been around for some time now, it is considered that when purchasing goods, whether online or not, the old adage “If it sounds too good to be true it probably is” should be front of mind, regardless of whether it’s a tractor, a car, a bike.....any purchase.

### **Asbestos Awareness**

November is National Asbestos Awareness Month which aims to increase essential awareness of the ever-present danger of asbestos when renovating or maintaining homes. Asbestos, which is deadly, remains hidden in one third of Australian homes. With the popularity of renovating continuing to grow concerns are growing that homeowners are taking avoidable risks with asbestos by doing DIY renovations. Whilst many people continue to think that deaths caused from asbestos are a thing of the past, nothing could be further from the truth with over 4,000 Australians dying every year from asbestos-related diseases. That’s 265% more than the annual national road toll. These are staggering statistics. It’s vital that DIYers, homeowners, renovators and tradies heed the warnings and learn to respect the serious dangers of asbestos to help save lives. Asbestos can be in any brick, weatherboard, fibro or clad home built or renovated before 1990. Back in the day, it was used everywhere - lurking under floor coverings including carpets, linoleum and vinyl tiles, behind wall and floor tiles, in cement floors, internal and external walls, ceilings and ceiling space (insulation), eaves, garages, roofs, around hot water pipes, fences, home extensions, garages, outdoor toilets, backyard and farm structures, chook sheds and even dog kennels.

Renovators and tradies alike are urged to visit [asbestosawareness.com.au](http://asbestosawareness.com.au) to source user-friendly, and potentially life-saving information which includes a video “Asbestos in Your Home – The Ultimate Renovators Guide” along with a 20 Point Safety Check. Also available at this site is detailed information on asbestos and natural disasters, which is most topical given the current flooding occurring throughout the eastern states of Australia. We all need to respect asbestos and whilst many in the community have possibly worked with asbestos in the past and, in doing so, ignored the warnings, we all need to learn where asbestos might be, how to manage it safely and when to engage trained experts to conduct asbestos-related work or remove asbestos-containing materials safely.

### **Bali Bombings**

At about 11pm on 12 October 2002 three bombs were detonated in Bali, two in busy nightspots – the Sari Club and Paddy’s Bar – and one in front of the American consulate. The explosions killed 202 people, 88 of whom were Australian. Hundreds more were wounded with the attacks being the single largest loss of Australian life due to an act of terror. Recently, the 20th anniversary of these terrorist bomb attacks was marked. Whilst there were many memorial services held throughout the nation to mark the occasion, I saw on the TV News a portion of the Memorial Service held at Coogee Beach in Sydney which held a special significance to the beachside suburb, with 20 local residents having lost their lives in the terrible blasts back in 2002. Following the bombings, and to their credit, Randwick City Council erected a substantial monument on the northern headland of Coogee Beach, known as Dolphins Point, and named in honour of the six members of the local Coogee Dolphins football team who were killed along with friends and family members in the bombing attack at the Sari Club in Kuta, Bali.

On 12 October each year since 2003, family, friends and the local community have come together at the Memorial to remember those lost in the 2002 Bali Bombings. Whilst we possibly all had some form of a linkage to family or friends who were affected by the tragedy, the reflection provided this year to the large crowd by Paul Yeo of Dubbo, stood out for me. Paul works at Dubbo Regional Council and apparently has done so for many years. I don't know him but I understand that he hails from a family of ten (10) with his Brother, Gerard, killed in the bomb attack. I have been told that the Yeo's and their cousins from the Wilson family, have been strongly associated with Rugby League in Western NSW for many year's. His reflections on the event were very powerful with Paul and two of his Sisters having flown to Bali the day after the bombing to search for their brother. Paul said as part of his talk that he "recalled telling dad to brace himself for the worst. Silence followed, he was broken." Life at times can throw some curved balls that simply aren't fair. Paul's reflections on the events of 20 year's ago and since, can be viewed at: <https://www.youtube.com/watch?v=NKb9pu3i-VM>

### **Migration Agreement**

With the current skills shortages confronting not only Bourke, but the Nation, I was pleased to receive advice from Regional Development Australia (RDA) Orana that it had entered into a five-year labour Designated Area Migration Agreement (DAMA) with the Australian Government. The Orana DAMA has been negotiated to provide employers with a specific tool to sponsor skilled overseas workers in specified industries in our region that are currently experiencing critical skill and labour shortages. Orana DAMA utilises the labour agreement stream of the Temporary Skills Shortage visa (TSS subclass 482) and the Employer Nomination Scheme (ENS subclass 186). Following endorsement from RDA Orana, businesses apply for and enter into a labour agreement with the Department of Home Affairs. Endorsed employers then lodge a nomination for the position required, and workers then apply for and may be granted a TSS Subclass 482 or ENS Subclass 186 visa. RDA Orana has negotiated an agreement for the Orana region that includes specific occupations and conditions that will assist our region in addressing our most acute labour shortages. For specific details on the DAMA Skills List, contact RDA Orana on 02 6885 1488.

**Quote: "What about the estimated 42.8million kangaroos that American scientists found in 2015 to emit about a third of cattle produced methane. Who pays a Skippy tax?"** Journalist Vicky Champion commenting on methane emissions and a potential tax.

### **3 November 2022**

#### **LGNSW Conference**

Last week, the Mayor, along with Councillor Bartley and myself, attended the Local Government NSW Annual Conference. Hosted by Cessnock City Council, the Conference was held at the Hunter Valley Crowne Plaza and was the first standard format Conference for two (2) years with the Conferences in 2020 and 2021 having been impacted by COVID restrictions. It was my first Conference as General Manager. Comprising basically all 128 NSW Councils, LGNSW advocates on behalf of, represents and supports member councils as councils endeavour to deliver improved services and better outcomes to their various communities.

A wide array of most interesting speakers participated in the agenda, but where this Conference is somewhat different to many conferences is that member councils are able to submit motions prior to the Conference which, if they meet the required criteria, are then submitted for consideration



by delegates at the Conference. After each motion is moved, generally by the submitting Council, and then seconded, some motions go straight through. Other motions, however, are debated fiercely, often along political lines, and then voted upon. The votes are often very close. This year there were some 140 motions up for debate. Some of the issues debated included general funding requirements, including funding for roads and disasters, planning legislation, animal control, health services, waste services and housing availability. All in all, it was a most interesting exercise.

### **Methane Pledge**

In my previous Column, my “Quote of the Week” related to proposals by the Federal Government to reduce methane. Early last week the Government confirmed much speculation by formally joining over 120 other countries in pledging to reduce methane emissions by 30pc below 2020 levels by 2030 across the energy and resources, agriculture and waste sectors. As I understand it, the Global Methane Pledge is a voluntary commitment with 122 signatories including the United States, United Kingdom and the European Union. As a signatory to the non-binding pledge, Australia has committed to undertake a range of domestic actions including the reduction of emissions in the energy and waste sectors and seeking opportunities in the agricultural sector to reduce methane emissions through technology and partnerships with farmers. Whilst the Government calls the reductions an “aspirational global target,” as in all like targets, the devil will be in the detail with the Australian Government advising that it will not legislate or introduce taxes or levies to reduce livestock emissions. The Methane Emissions Reduction in Livestock (MERiL) Program will provide \$5 million in funding to develop technologies to deliver low emission feed supplements to grazing animals and determine their technical viability and commercial potential.

With cattle being a large producer of methane, Australian agricultural industry leaders have had varying views on the move. For example, Cattle Council of Australia CEO, John McGoverne, stated that “We are supportive of the Commonwealth signing up to the pledge, provided there are no new taxes or reduction of herd numbers.” Mr McGoverne said that the Australian beef industry was already on track to reach net zero emissions without reducing livestock numbers noting that millions in cattle levies had been invested in new feed additives that significantly reduce methane emissions including asparagopsis, or pink seaweed, which can cut emissions by more than 90%. Conversely, the Australian Dairy Farmers have come out against the pledge, saying it is too early to make such a goal. Time will tell how all these targets turn out.

### **Potholes**

In driving to the Hunter Valley for the LGNSW Conference last week, the standout was the extremely poor state of the roads upon which we travelled. As road users, we have all witnessed the poor condition. These roads were basically affected by the ongoing wet conditions, as opposed to what we see locally and on television in terms of the devastation caused by flood damage. Here in Bourke, there are numerous examples of roads that have been destroyed by flooding causing chaos for locals and for people and transport trying to move around the state. I was pleased to receive advice last week that the NSW State Government has allocated \$50 million to help regional and rural councils fix the increasing number of potholes brought on by this year’s extreme wet weather. Under the new Fixing Local Roads Pothole Repair Round, councils can apply for funding to help them address their highest priority pothole repairs, and Bourke Shire will certainly be seeking funding under the funding program. With an estimated 135,000 potholes having been repaired on State Roads in Regional NSW since February 2022, many many more potholes still require attention, particularly on council-managed roads, with more than 420,000 potholes

estimated on council roads. This new funding is in addition to the \$500 million provided by the State government through the Fixing Local Roads program to help regional councils repair, maintain and seal local roads across the state, with Council having undertaken sealing works on roads in the Shire such as on Coronga Peak, Weelong, Weir, River, Parkdale and Toorale roads.

### **Live Traffic**

On the topic of damaged roads, the NSW Government has announced the first regional expansion to its LiveTraffic system, with the status of roads across 22 local government areas now available for navigation software such as Google Maps and Apple Maps. If you're taking a trip, log into LiveTraffic and check out what you're potentially driving into. With the widespread heavy rain and flooding and the resulting deteriorating roads, many roads now pose quite a safety risk.

### **Darling River**

An interesting exercise is to examine a map of the numerous tributaries that flow into the Murray Darling Basin and particularly what flows into the Darling River above Bourke. With this in mind, Flood Warning No 98, as issued last week by the Bureau of Meteorology, didn't provide great reading in terms of expected flows past Bourke in upcoming week's, with major flooding occurring at Bourke from last Thursday.

Rainfall over recent weeks and months has caused prolonged flooding along the Barwon and Darling Rivers with flood peaks flowing into the Barwon-Darling River System from multiple tributaries. Upstream along the Barwon River, major flooding has occurred at Mungindi. Major flooding was expected to occur at Mogil Mogil last Friday and moderate flooding is possible at Collarenebri from early November as the Mehi and Gwydir flows join the system following the recent rainfall and flooding at Moree. Major flood levels were expected to be exceeded at Walgett from last Sunday and at Brewarrina during this week. At Bourke, flows along the Darling River combined with flows from the Macquarie, Bogan and Culgoa Rivers saw the major flooding level reached here last Friday, 28 October 2022. The Bureau has now predicted that the River at Bourke is likely to reach around 13.20 metres during next week and further, reach around 13.80 metres during the third week of November (18 - 23 Nov 2022).

For those who have been in our community for some time, and have a good memory, the Bureau is saying that the levels expected for Bourke in late November 2022 are levels similar to those that were experienced at back in September 1998 and March 2012. Major flooding is also occurring at Louth with a height of 13.50 metres predicted for late November 2022. In anticipation of these levels, work to increase the height of the levee at Louth are underway.

Locally, the Local Emergency Management Committee, whose role is to prepare and review plans in relation to "the prevention of, preparation for, response to and recovery from emergencies in the Local Government Area for which it is constituted under section 29 of the State Emergency and Rescue Management Act, has met on numerous occasions of late to ensure required preparations in respect of this flooding event are undertaken. With Police, State Emergency Services, Rural Fire Services, Fire and Rescue, Health and various other Government and non-government organisations at the table, preparations are well developed. I take the opportunity to thank the various representatives of these organisations for their dedication and diligence as they go about their work to protect the community. During COVID last year, the Bourke LEMC met on some 50 occasions and when meetings have been called in respect of this latest event, all in attendance have been focused on the issue at hand. If you require assistance due to flood or

storm emergencies, please phone NSW SES on 132 500. If someone is seriously injured, in need of urgent medical help, if your life or property is being threatened, or if you have just witnessed a serious accident or crime, call 000 and “Stay focused, stay relevant, stay on the line.”

**Quote: “This is a malicious attack that has been committed by criminals with a view of causing maximum fear and damage, especially to the most vulnerable members of our community.”** Medibank Health Fund CEO, David Koczkar, as part of revelations that hackers had, in fact, taken customers data.

## 10 November 2022

### Levee Funding

In last week's Column, I wrote regarding the flooding of the Darling River and expected river heights in Bourke Shire during November 2022. I noted that major flooding was also occurring at Louth with a height of 13.50 metres predicted for late November 2022. I further noted that “in anticipation of these levels, work to increase the height of the levee at Louth are underway.”

Such a simple statement, but the flurry of activity that was behind undertaking these works and similar works at the levee that protects the Alice Edwards Village here in Bourke, is worth reflecting on. Once it was identified that the levee heights required increasing as a result of the expected river levels, machinery to undertake the works was not the concern. Rather it was a case of how such works would be funded. Initial contact was made with Gerry Collins of Regional NSW (RNSW) seeking funding assistance. As NSW Public Works Advisory (PWA), a branch of Regional NSW, were familiar with both levees, Gerry suggested that contact be made with Gavin Priestley who is the Regional Manager for PWA. Gavin is a regular visitor to Bourke in his role and was straight onto his colleagues to address the funding issue, with John Bevan, also from PWA, in contact with Council seeking information on requirements and offering assistance, with Chris Hangar from RNSW ultimately signing off on the funding in a most timely manner for the Louth levee and Ken Harrison from Resilience NSW for funding the works required on the Alice Edwards Village levee. Ben Walker from the office of Minister for Western NSW, Dugald Saunders, also provided support and followed up that the funding was forthcoming. Gerry, Gavin, Ken and Ben have all followed up to also make sure Council is being supported for the expected flood event. All the efforts of those mentioned are very much appreciated.

Funding was forthcoming and, as mentioned, the works are proceeding. I also extend my thanks to the Deputy Premier, the Hon Paul Toole, who is also the Minister for Regional NSW and for who the majority of the above-mentioned people work. It is through the Deputy Premier that the culture of the various Departments is set and the staff's responsiveness to the issues raised is so very much appreciated. Co-incidentally, Minister Toole is also the Minister for Police and I am pleased to advise that the Development Application for a redeveloped Bourke Police Station was lodged last week. Council will now proceed to assess the application before it is ultimately submitted to a Council meeting for determination.

### Centenary of NSW CWA

I was privileged on Saturday, 29 October 2022 to travel to Enngonia and be part of the celebrations of a 100 years of service by the NSW Country Women's Association. The CWA was formed in 1922 when country women were fighting isolation and a lack of health facilities. Within the first year, the Association was a unified, resourceful group that was going from strength to

strength. The members worked tirelessly to set up baby health care centres, fund bush nurses, build and staff maternity wards, hospitals, schools, rest homes, seaside and mountain holiday cottages - and much more. The women of the CWA have been initiators, fighters and lobbyists. They have made localities into communities by providing social activities and educational, recreational and medical facilities.

The CWA is the largest women's organisation in Australia and aims to improve conditions for country women and children. The Association achieves that aim in various ways including lobbying for change, helping the local community, creating a network of support and meeting together in towns and cities. Women from the country and the city in NSW meet together to connect with others in their local area, fundraise and help set policies which are lobbied for at a state level. Members also enjoy cooking, handicraft, art and creative writing competitions as well as teaching skills to others. Yes, there is a lot more to the CWA than just cooking scones!

CWA of NSW is a member of the international organisation Associated Country Women of the World, and through this organisation, they support rural women world-wide. As an aside, a lady by the name of Ruth Shanks AM from Dubbo was elected as the President of this world-wide organisation, leading it for some 5 years ending her term in 2019. Ruth is a bowler and would be known to the ladies at the Bourke Bowling Club having competed there in the past.

Despite a small population base, the Enngonia Branch of the CWA has sister branch in Bourke in the Bourke Shire with both doing a super job for our community. I congratulate the Association on their achieving 100 years of helping the various communities across the State.

### **John Reading**

My husband and I sent our children to boarding school for their senior schooling and for my boys, like so many boys in the Western Region, they attended St Joseph's College in Hunters Hill. For anyone who has had any association with the College over the last fifty or so years, the name John Reading would be a familiar one. After being a student himself at the College and then having served the College in various roles for 46 years, John will shortly retire with his most recent role at the College being as the boarding coordinator. Over the years he has been an economics teacher, the Year 12 academic coordinator and 1st XV rugby coach. John also had a great passion for rowing having rowed in the Joeys 1st VIII in 1971 which won the Head of the River, rowed back in those days on the Nepean River at Penrith. John is a very genuine and personable character who had the innate ability to remember peoples names, where they came from and their family connections. Over the years, John has had a great affinity with families from the Bourke area and was always keen to work with parents who wanted to send their boys to the school, despite family resources being limited. It never ceases to amaze me where copies of the Western Herald are distributed to so on behalf of parents and former students of Joeys in the Bourke region, I take the opportunity to wish John a long and happy retirement and thank him for what he has done for so many boys and families in the west.

### **Brad Hazzard**

Speaking of people retiring, the current NSW Minister for Health and the Ministerial Champion for Bourke, the Hon Brad Hazzard, MP has announced his retirement from state politics come the March 2023 NSW State Election. Minister Hazzard's contribution to Bourke dates back to 2015 when then Premier, the Hon Mike Baird, appointed him as the Ministerial Champion for Bourke.

Author, journalist and radio and television presenter, Peter FitzSimons, recently interviewed the Minister following his retirement announcement for the Sunday Herald. Mr FitzSimons asked Minister Hazzard to nominate his most satisfying times in Politics. Of all his achievements and actions during 32 years of political life, the Minister nominated “working in Bourke empowering the Aboriginal community to re-direct money to improve social outcomes – the Maranguka project – reducing the need for funding to law and order issues.” Back in 2015 when appointed the Champion for Bourke, the Minister acknowledged that there needed to be a different way of addressing social issues and his support of Bourke and Maranguka has not wavered. The fact that he retained the role of Ministerial Champion for Bourke despite Ministerial portfolio changes that saw him responsible for Social Housing, Family and Community Services and ultimately Health and Medical Research, speaks well of his desire to achieve change in our community.

The Mayor has written to the Minister to recognise his retirement and his assistance to Bourke. In doing so, the Mayor is hopeful that Minister Hazzard will visit Bourke one more time in his role as Minister prior to his retirement. Notwithstanding, best wishes are extended to the Minister for his future endeavours

### **Draft Far West Regional Plan 2041**

The draft Far West Regional Plan 2041 is an update of the Far West Regional Plan 2036, being the NSW Government’s vision for the future of the Far West Region. The draft Plan is now on exhibition until 21 November 2022. Community members are able to make a submission via the following website: <https://www.planningportal.nsw.gov.au/draftplans/exhibition/draft-far-west-regional-plan-2041>

There is also an opportunity to be part of a community facilitated information workshop as part of the consultation program. You can attend one of these sessions to be held on Thursday 10 November or on Monday 14 November, both from 6-7.30pm. Registrations for these above workshops are available at: <https://draftFarWest2041.eventbrite.com>

**Quote: “I am not retired. I still haven’t really thought about [retirement].”** Tennis Champion, Serena Williams recently.

### **17 November 2022**

#### **Central West NSW**

I would imagine that most readers of this column have seen pictures of the level of flooding from the Lachlan River across the Central West of the State, stretching from Cowra to Forbes to Condobolin and then down to Hillston. Having travelled through Forbes on numerous occasions, drone vision of the town showed familiar landmarks in the town underwater. In an interview with the Mayor of Forbes, Cllr Phyllis Miller, she made comment that during a helicopter inspection with the SES, so much of the town was underwater with just some pockets out of the water and further noted that in flying towards Condobolin “all you could see was water.” For Forbes, it is the worst flooding in 70 years with hundreds of businesses and houses affected with the clean-up expected to take months.

In Bourke, we are still at a major flood level with predicted water levels to reach 13.90 metres. The Bourke levee engineered and constructed in 1995 and restored during 2011 to ensure its

structural integrity, and regularly inspected by engineers since, has a general crest height of 15.50 metres. The exception to this 15.50 crest level is at the Wharf which is 14.50 metres above the riverbed. The levee height can be increased at this location, if required. The Local Emergency Management Committee continues to meet regularly to discuss current issues and continue preparations for a high-water mark. Whilst we have our own challenges in Bourke with the rising river, God willing, the water only gets as high as predicted. Please spare a thought for those in the Central West who have been smashed by these flood waters and the impact on their lives.

Recently, Council issued an Information Sheet in respect of the Darling River to better assist residents to understand the river as significant flows pass Bourke township. The information document notes that the Bureau of Meteorology has predicted a flood height of 13.90 metres from tomorrow, 18 November until 24 November, and provides comparative data in respect of previous high-level marks in the river. The document also provides information on flood safety, SES, Police and Council contact details and levee details. It is a good read and if you would like a copy, you can view it on Councils Facebook Page or alternatively, drop into the Council Office in Mitchell St for a hard copy.

### **Proposed Heritage Listing**

The Heritage Council of NSW recently resolved to give notice of its intention to consider listing Toorale Homestead Precinct and Toorale Woolshed Precinct on the State Heritage Register (SHR). Located 80km southwest of Bourke, the proposed listing would acknowledge the heritage significance of the precincts to the people of New South Wales. Given this proposal, members of the community, owners, managers, organisations or other interested parties are able to make a written submission regarding the proposed listing.

The Heritage Council notes that Toorale Homestead and Woolshed Precincts have a long history and ongoing Aboriginal occupation by the Kurnu Baakandji people along with early European occupation and settlement. Toorale (*Thurali*), sits on the lands of the Kurnu Baakandji people where the *Wariku* (Warrego) and *Baaka* (Darling) Rivers meet. The rich riverine landscape contains Aboriginal and European cultural heritage and shared history of both peoples. The Kurnu Baakandji became part of the pastoral industry in the 19th century and made significant contributions to the growth of Toorale Station which is recorded in historical records and oral histories. Toorale is highly valued by the Kurnu Baakandji, by other Aboriginal people who have an association with the place, and by the wider community.

Toorale also had an association with two of the most significant Australian wool barons of the 19th century, Sir Samuel Wilson, who owned Toorale from 1871 to 1880, and Sir Samuel McCaughey who owned the property from 1880 to 1912. The Heritage Council considers that the precincts demonstrate early pastoralism and ingenuity in outback NSW. The massive single storey Toorale Homestead precinct and outbuildings was the hub of the expansive Toorale pastoral station. Toorale Woolshed was designed and built in 1873/74 by Sir Samuel Wilson and is the earliest known farm building in Australia to have iron structural framework and fittings and electrical lighting. The Wool Scour is likely to be of State significance for its ability to demonstrate wool processing in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. It is further understood that the Toorale Woolshed had an association with the poet and writer Henry Lawson who was known to have worked in the woolshed.

Submissions close on 21 November 2022 with further details available on the Heritage NSW website at: <https://www.heritage.nsw.gov.au/protecting-our-heritage/nominate-listing-on-the-state-heritage-register/nominations-being-considered/>

### **New Impounding Laws**

New impounding laws have been passed by the NSW Government known as the Public Spaces (Unattended Property) Act 2021, with the new laws having commenced from 1 November 2022. The new Act repeals the Impounding Act 1993 and is supported by the Public Spaces (Unattended Property) Regulation 2022, along with Guidelines and implementation materials.

The introduction of the Act is the biggest reform to impounding laws in nearly 30 years and include harsher penalties for owners of shopping trolleys, unregistered cars and trailers and stray stock animals. It never ceases to amaze me where you see out of place shopping trolleys. Legislation that makes operators more responsible for where they end up is a benefit to all communities. The new laws are expected to save councils across NSW more than \$10 million a year and aim to ensure that public spaces are safe, accessible and enjoyable for the community.

To allow the public and businesses to become familiar with the new laws, a grace period will apply for some penalties until 1 May 2023, where warnings will be issued, rather than fines, if certain items are left unattended in public places. The new laws have been shaped through extensive consultation with councils, key stakeholders and the public with more information about the new Act and supporting regulations and guidance being available at: [www.dpie.nsw.gov.au/unattendedproperty](http://www.dpie.nsw.gov.au/unattendedproperty)

### **Mosquitos**

I don't wish to sound like a broken record, however with all the water currently lying about, and will continue to do so for some considerable time yet, and with the warmer weather with us, the Shire area is undoubtedly in for a big mosquito season. This is a most serious issue and apart from the annoying bites, mozzies can also spread viruses such as Ross River virus, Japanese encephalitis virus (JEV) and Murray Valley encephalitis. While serious illness and hospitalisation from these viruses is rare, the more mosquitoes, the greater the risk. The best protection against mosquitoes and the diseases they carry is to avoid mosquito bites. Bourke Shire residents are urged to take steps to protect and keep mozzies away this summer by:

Wearing and reapplying repellent: repellent containing DEET, picaridin or oil of lemon eucalyptus should be used on any areas of exposed skin and reapplied regularly.

Covering up while outside: wear light, loose-fitting long-sleeved shirts, long pants and covered footwear with socks, particularly at dawn and dusk when mosquitoes are most active.

Keeping mosquitoes out: close doors and windows when indoors or install fly screens where possible. You can also use mosquito nets around beds or when camping.

Stop mosquitoes breeding: mosquitoes breed in stagnant water. Remove items from around the home that might collect water such as pot plant saucers, toys, and old tyres.

In NSW, a free Japanese encephalitis virus vaccination is available for people aged 2 months or older who live or routinely work in specified Local Government Areas, of which Bourke is one. In addition to living in the Bourke LGA, you must also spend significant time outdoors (four hours per day) for unavoidable work, recreation, education, or other essential activities, or, are living in temporary or flood-damaged accommodation (e.g. camps, tents, dwellings exposed to the

external environment) that place them at increased risk of exposure to mosquitoes, or, are engaged in the prolonged outdoor recovery efforts (clean up) of stagnant waters following floods. If you meet this criteria it is suggested that you contact your GP to discuss the vaccination.

**Quote: “Your grandfather used to say you can’t fix a broken wagon wheel, but you can use the parts to make a new one.”** John Dutton from the Yellowstone TV series with the airing of the 5<sup>th</sup> Season having recently started, much to the joy of numerous Bourke residents.

## **24 November 2022**

### **Flooding**

The scene of a 40-foot steel container flowing down the Mitchell Highway at Molong, as recently televised to the nation, very clearly exemplifies the power of flood water with Molong, Eugowra and Canowindra absolutely smashed by flash flooding in the early hours some two Monday mornings past. The damage to businesses located in the main street of Molong looked like pictures from a war zone. Residents of these towns and those in Cowra, Forbes and beyond are in shock with more flooding occurring whilst residents were still cleaning up from flooding earlier in the month. At Eugowra, a small village with some 700 people, it has been reported that 150 residents were rescued with 100 of these rescues being by helicopter from their rooftops. All hard to watch.

Here in Bourke, the Bureau of Meteorology was expecting a 14 metre major flood peak earlier this week. Whilst there is not expected to be a general impact to the Bourke township at this height, the Bureau is estimating that the river height may remain above the major flood level (12.7 m) until around mid-December. The Darling River at Louth is expected to reach 13.6 metres during late November 2022 with major flooding. People who have been around the western area for a while will regularly tell you “that every flood is different.” That is certainly proving to be the case in respect of water this flood, the water did not cross the Sydney Road on the Mitchell Highway, south of Bourke until Friday, 18 November 2022 where the river height was 13.76 meters. During previous floods, water has crossed the Sydney Road when the river hits 13.15m in Bourke. As I write this, the river is at 13.88 metres, both the Mitchell Highway and Kidman Way are now impacted with flood water Council in communication with Transport for New South Wales are taking action as necessary to keep the highways open as the water rises. Please monitor Councils website or Facebook page for up to date roads information.

Emergency services are certainly in full swing doing a fantastic job resupplying isolated communities and properties as a result of flooding. Last week there were 9 helicopters operating from the Bourke Airport undertaking their required tasks. One helicopter of particular interest was a very large Black Hawk helicopter which has been utilised to resupply fuel to Lightning Ridge. Isolated residents on properties requiring the resupply of essentials are encouraged to call NSW SES on **132 500**. The operator will issue you with a reference number and advise you on how to go about ordering and receiving your required needs. The Department of Primary Industries (DPI) and Local Land Service (LLS) are providing help to landholders who require emergency assistance with animal welfare. Please call the Agriculture and Animal Service Hotline on **1800 814 647** if you require these services.

Whilst we still have a while to go before the river drops, I take the opportunity to thank my staff, and the staff of the various government departments and the emergency services and volunteers for their considerable efforts in providing assistance to our communities. The efforts of so many people are very much acknowledged.



## Water Buyback

It is rather ironic that as nearly 150,000 megalitres (150 gigalitres) of water flows past Bourke each day, there are media reports that state water ministers have agreed to almost 50,000 megalitres (50 gigalitres) of water buybacks at last month's Ministerial Council meeting, with most of that water coming from NSW. According to *The Land*, relevant Federal Government staff revealed that the decision was to secure 46GL of surface water and 3GL of groundwater "through strategic purchases" to meet water recovery targets under the Murray-Darling Basin Plan. Whilst it is understood that 1.6GL of the buyback will be sourced from the Barwon-Darling river system, the proposal would undoubtedly send shivers through many people associated with Bourke and reignite memories of the negative impact that previous buybacks have had on our community. If the reports are correct, it will undoubtedly be a matter of, here we go again.

## Late Bloomers

One of the great benefits of all the rain, as a result of the La Nina weather event, is the growth and freshness of trees and flowers not just in our area, but right across the western region and State. I was interested to recently read that the Royal Botanic Gardens in Sydney had reported that Jacaranda Trees in Sydney, including some up to 175 years of age, blooming some two to three weeks later than usual. With Jacarandas easy to see due to their magnificent purple flowers, Botanic Garden staff have reported that the trees "have been confused by record rains, lower temperatures and cloud cover." Whilst blooming late, the number of buds on the trees are massive and that is the experience out our way with most trees looking lush.

## Bogged

I am hearing, and seeing, plenty of reports of vehicles and machinery getting bogged during these extended wet weather conditions. Subsequent retrieval of plant and equipment from a bog is so often an arduous, and an often-dangerous task. SafeWork NSW has reported of a 33-year-old farmer sustaining fatal head injuries during the extraction of a bogged bulldozer when one of the two D-shackles connecting the recovery strap failed, propelling the shackle through the glass door of the bulldozer. Tragic for all concerned.

If you do get stuck, it is important to take the time to fully assess the situation. Check the condition of the recovery equipment each and every time you use it. Look out for metal fatigue which may affect anchor points. Chains can stretch and cables and straps can fray. As a priority, keep bystanders at least two-and-a-half times the length of the recovery straps, cables, or chains away from – and to the side – of the recovery. Never stand next to it. When using cables, consider the use of pulleys for mechanical advantage, and when joining straps, avoid the use of steel shackles – they become projectiles if something breaks.

NSW Farmers have provided the following guidelines to reduce the risk to workers and others involved in vehicle and farm equipment recovery by:

- Performing a risk assessment before attempting any vehicle or equipment recovery.
- Assessing the work environment and conditions prior to commencing work. Avoid using vehicles and farm equipment if there is a likelihood of becoming bogged and if necessary postpone the work until conditions improve.

- Creating an exclusion zone around the stuck vehicle or piece of equipment during the recovery activity with only the vehicle operator and those necessary in the recovery being allowed inside the exclusion zone. Always ensure an effective communication method is established between those in the zone using voice, radio, or hand signals, as required.
- Ensuring anyone within the exclusion zone is standing at 90 degrees to the axis of the tow line. Do not stand at either end of the tow line as you are at higher risk of injury if the tow line breaks.
- Only using straps and attachments that are correctly rated for the weight and type of work involved.
- Using a recovery damper to reduce the force of the recoil and risk of injury if the recovery line does break.
- Only using anchor points on vehicles and machinery approved by the manufacturer.
- Aborting the extraction of the bogged vehicle or equipment if things are not going to plan.
- Choosing plant with laminated glass and external structural protection where available. Consult the original equipment manufacturers (OEMs) for tougher glass options and operator cabin protection in mobile plant
- Only using well maintained and approved equipment in line with the manufacturer's instructions.
- Ensuring you have an emergency procedure in place.

At some point, the very large majority of us have been bogged in some form of vehicle or a piece of machinery. The above advice is about taking the recovery process in a sensible, structured manner with a view to alleviating injury or worse.

### **Council Meeting**

Councils November 2022 Ordinary Meeting will be held on Monday, 28 November 2022 commencing at 9.15am in the Council Chamber, 29 Mitchell St, Bourke. Members of the public are welcome to attend. The final meeting for 2022 will be held on Monday, 19 December 2022 with no meeting scheduled for January 2023.

**Quote: "Even when the water recedes we urge motorists to be aware that while our crews are working around the clock to repair potholes and damaged roads, they simply cannot keep up with the volume of work at present."** NSW Regional Roads Minister, Sam Faraway, talking about the state of roads from the Blue Mountains to the Far West following all the recent flooding.

### **Recommendation**

**That the information in the General Manager's Activity Report as presented to Council on Monday, 28 November 2022 be noted.**

**21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR OCTOBER 2022**

**File Number:** L4.1  
**Author:** Jodi Hatch, Library Manager  
**Authoriser:** Melanie Milgate, Manager Economic Development  
**Attachments:** Nil

**Current Situation**

The following items for the October 2021 - October 2022 period are presented for information, noting that the data for the October 2021 period was affected by COVID related restrictions.

Item	October 2021	October 2022
Loans	409	602
New Members	10	7
Internet/Word Processing	2	39
Wireless Tickets	0	11
Number of Visitors	24	621
Scans	4	17
Information Requests	24	65
Technical Assistance / Printing	28	29
Faxes/ Laminating	0	0

- This month, the Library hosted a visit from Geoscience Australia, who gave a talk and demonstrations on the projects they are currently undertaking in the local area. 7 people attended the event, with and all finding it very informative.



Workshop with Geoscience Australia

- The monthly online trivia conducted by the Library continues to be popular. Sessions are held on Zoom and use the Kahoot trivia program. An average of 15 people regularly attend, including both adults and children, and provide very positive feedback.




Screen shot of online Trivia

**Recommendation**

**That the information in the Library Manager’s Report for October 2022 as presented to Council on Monday, 28 November 2022 be noted.**

**21.6 TOURISM AND EVENTS MANAGER'S ACTIVITY REPORT**

**File Number:** T4.3  
**Author:** Ben Nott, Coordinator Tourism Operations  
**Authoriser:** Melanie Milgate, Manager Economic Development  
**Attachments:** 1. BOBEC Statistics October 2022 [↓](#) 

**Background**

The Bourke Shire Councils Tourism and Events Manager's activity report provides Council with an updated status report for October 2022, relating to its tourism team's 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 Stampede

The Back O' Bourke Stampede – Peter Simmonds Memorial Pro Rodeo, planned for Saturday, 3 December 2022 at Renshaw Oval, Bourke, has again been postponed due to the current and expected spate of wet weather and flooding across Western NSW. The event will be rescheduled to a yet to be determined date in 2023.

Communications

With the current situation regarding the flood waters, communication has been integral to keeping the community informed and updated. Regular updates are being posted on the BSC Facebook page and website.

Impact on Tourism and Business

With the flooding being far from over, the impact to businesses is obvious with diminished numbers of tourists and visitors. According to statistics available from the Back O' Bourke Exhibition Centre (BOBEC), visitor numbers have dropped 50% since September 2022 (2203) to October 2022 (1094) and has been in decline since July 2022 (2998) when visitor numbers peaked in 2022. Please refer to the table, Visitor Numbers to the Back O' Bourke Tourist and Information Centre below. It will be some time before the full impact to tourism, business and industry is realised.

Back O' Bourke Information and Exhibition Centre

- BOBEC continued operations 7 days a week in October, both the Café and Exhibition Centre;
- Turnover in October 2022 (\$38,806.51) compared to September 2022 (\$84,036.96) was down by approximately 50%. The October 2022 figure was still up on the same period in 2021;
- Visitor numbers for October 2022 were 1094 compared to 2203 in September 2022;
- Email enquiries for October 2022 were 369 compared to a similar figure of 351 in September 2022;
- Incoming telephone calls for October 2022 were 413 compared to 560 in September 2022. Calls were down 25% on last month;

- The PV Jandra remains moored due to the high river;
- 240 Exhibition Centre tickets were sold in October 2022 compared to September 2022 where 98 tickets were sold. Sales were down approximately 75%;
- Café turn over in October 2022 was \$ 22,682.00 compared to \$ 34,675.51 in September 2022.

The Crossley Engine operated on 20 occasions during October 2022 and has again been a major draw card with no PV Jandra. The Crossley will finish in early November for maintenance. The engine has been running well, with regular contact with Don Burns who is preparing to put the piston back in Engine 1 once the season is complete. With flood water causing uncertainty, Don will be in Bourke in the new year to undertake the required work.

The Back O' Bourke Information and Exhibition Centre garden staff were again busy in October. The grounds look great once again. Thanks to Peter Brown and the Shire Gardens Section that have helped with the broad area mowing. The new path from northern carpark up to the function centre has been completed with gardens and grass seed planted, handrails to come once the flood water has gone. Spraying and mulching have continued.

The Café and Information Centre had a great month. The weekends continue to be well supported by the community. The café this month has catered to a few tour groups. The turnover of the café is a credit to the hard work of the staff who work in the Centre, they are leading the way.

Thank you to the staff for their hard work around the centre from, covering shifts, cleaning, brochure drops, function set up and customer service. The focus has moved to working on PV Jandra merchandise for next season and Christmas Markets in December.

The Centre had 3 function bookings during October. Unfortunately 2 functions were cancelled due to flood water to the east of Bourke.

There were 3 tour groups during the month. Brendan's Tours and Outback by Air x 2 visits. A total of close to 30 visitors with these 2 groups.

In all October was quieter than last month. Year to date turnover up to end of October is \$603,308.04, an increase of 76 % on last year.

**Visitor Numbers to the Back O’ Bourke Tourist and Information Centre**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Jan		448	560	325	326	302	348	386	782	1109	816	603
Feb		157	397	271	373	391	220	282	1043	386	630	725
Mar	810	570	1500	1051	1342	1612	1245	1274	1021	412	1389	1100
April	2507	2144	3103	3146	3849	3118	3114	4024	3166	0	2387	2323
May	2656	2891	3758	3988	4602	4073	3983	4770	3693	0	2564	2016
June	2952	3216	4492	4275	5437	5199	4754	5634	4490	993	2366	2227
July	4362	4643	5173	6241	6002	5941	5982	7614	6834	2570	1068	2998
Aug	4187	4162	4410	4793	5078	4951	5051	5548	4052	1898	255	2557
Sep	4295	5074	4275	4764	4489	4532	4246	4676	3601	3325	0	2203
Oct	2674	3967	2383	2486	2370	2475	2463	3574	2222	5246	409	1094
Nov	1012	930	789	671	610	1031	876	1014	1220	1989	866	
Dec	386	347	207	242	272	281	255	630	860	1194	897	
<b>Total</b>	<b>25841</b>	<b>27649</b>	<b>31044</b>	<b>32253</b>	<b>34750</b>	<b>33906</b>	<b>32537</b>	<b>39454</b>	<b>32984</b>	<b>19122</b>	<b>13647</b>	

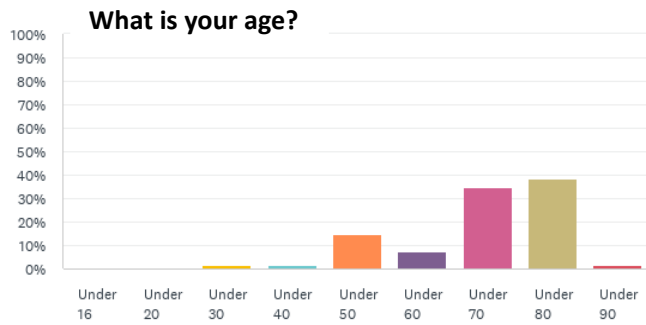
**Financial Implications**

There are no financial implications.

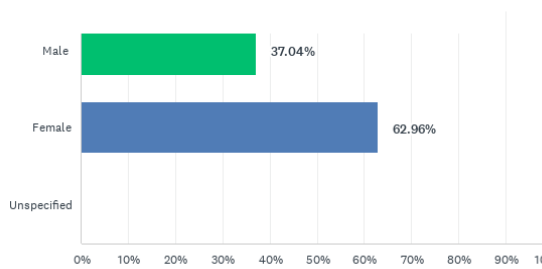
**Recommendation**

**That the information in the Tourism and Events Managers Report for October 2022 as presented to Council on Monday, 28 November 2022 be noted.**

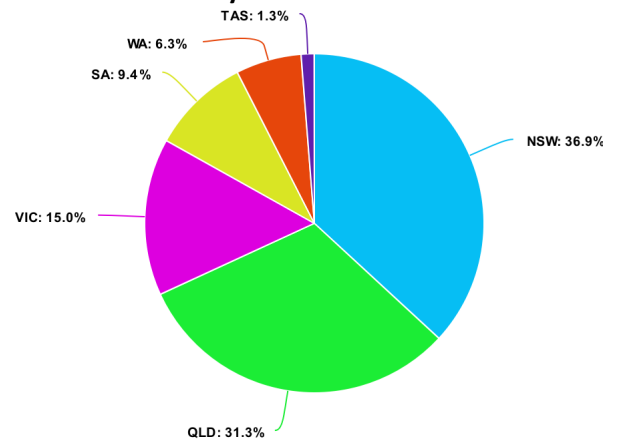
# OCTOBER STATISTICS 2022



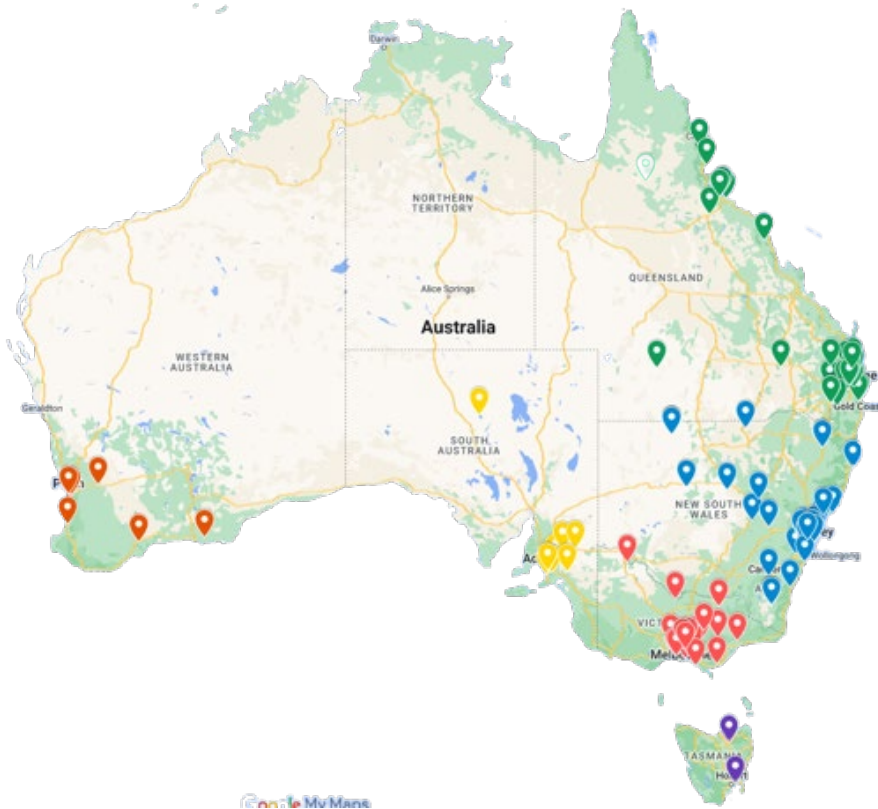
### Are you male or female?



### Which State are you from?

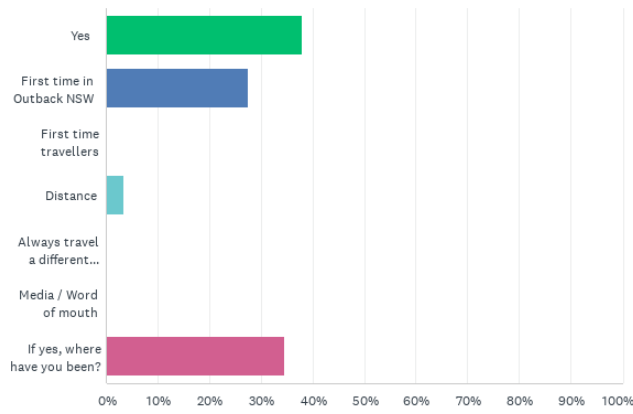


### Postcode of visitors

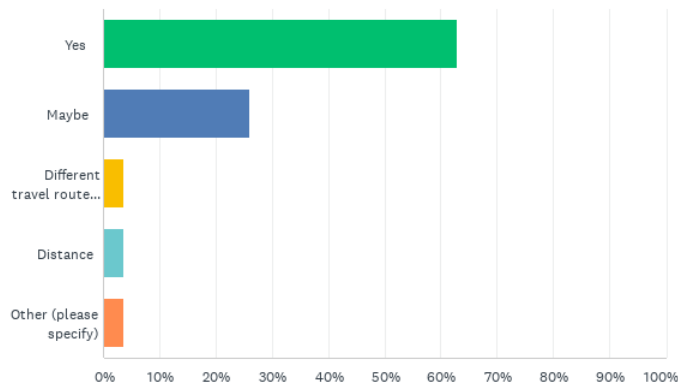




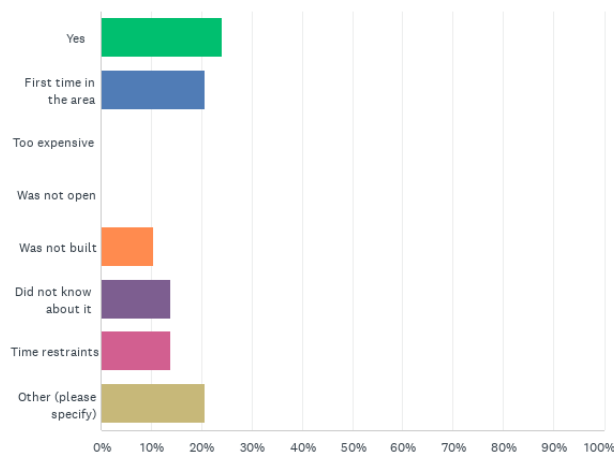
**Have you been to Bourke before?**



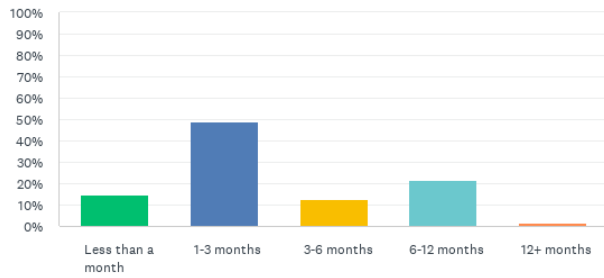
**Will you be returning to Bourke?**



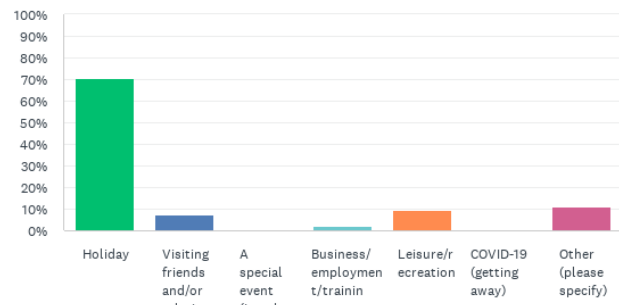
**Have you been through the Back O' Bourke Centre before?**



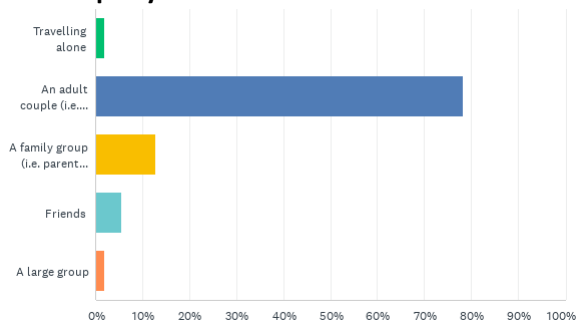
**How long did you plan for this trip?**



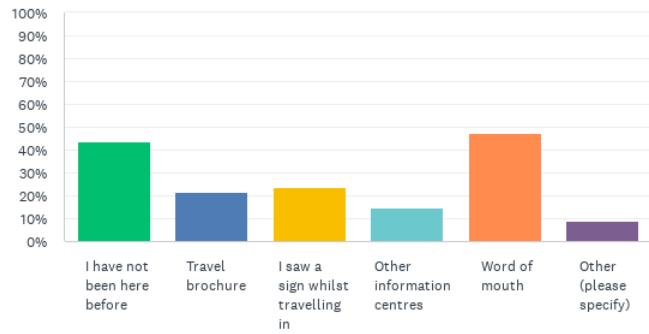
**What is the main purpose of your trip?**



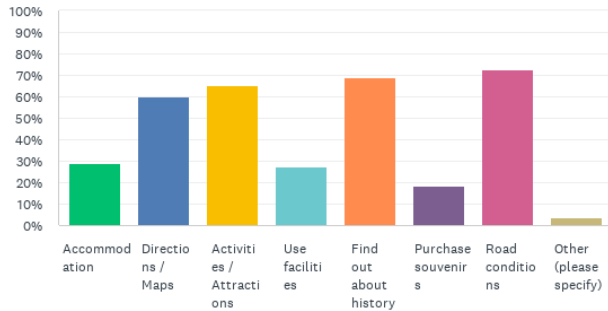
**How would you describe your immediate travel party?**



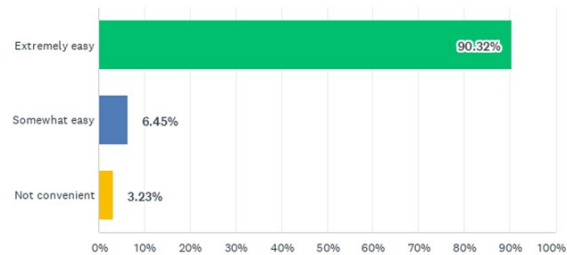
**What determines your decision to go where?**



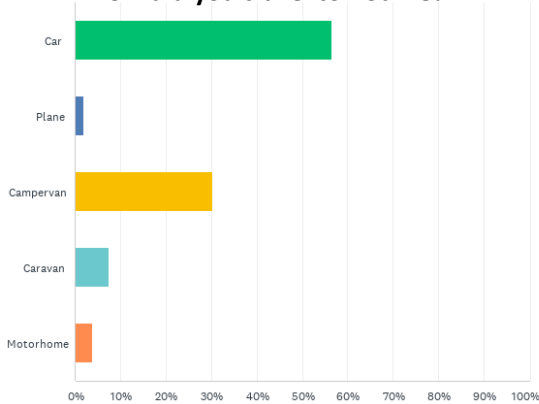
**What information are you looking for at the information centre?**



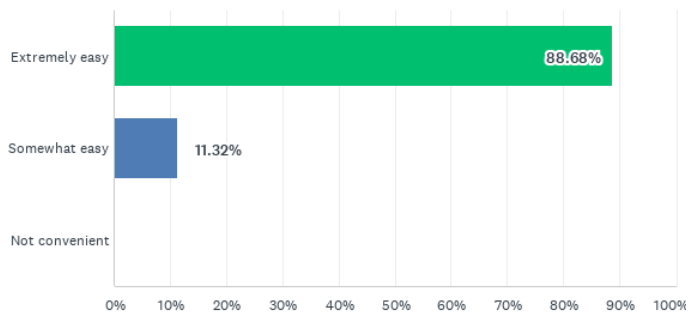
**In your opinion, how easy was it to find our location?**



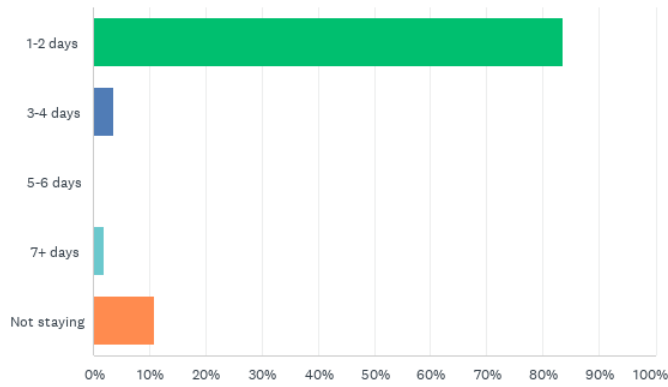
**How did you travel to Bourke?**



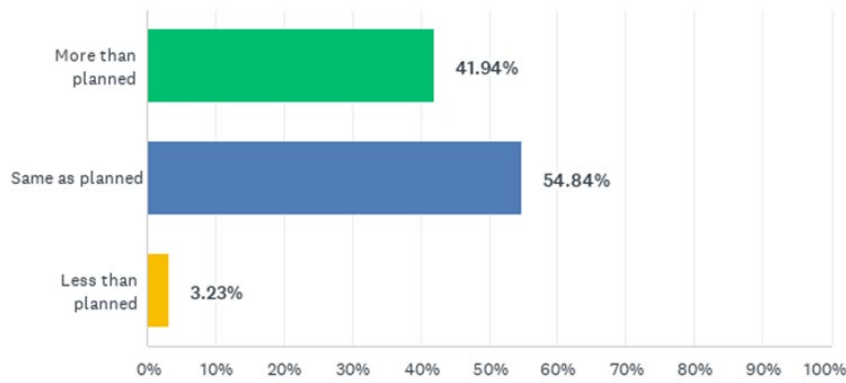
**In your opinion, how easy was it to find our location?**



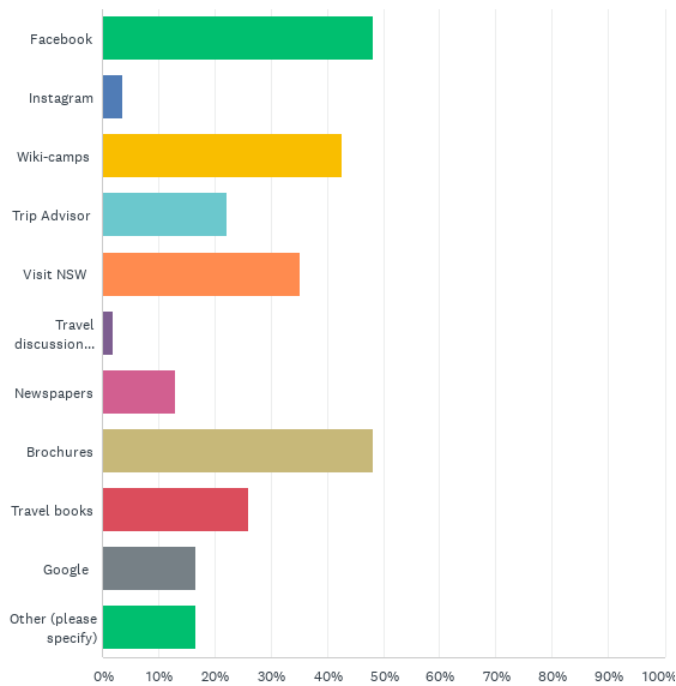
**How long are you staying for?**



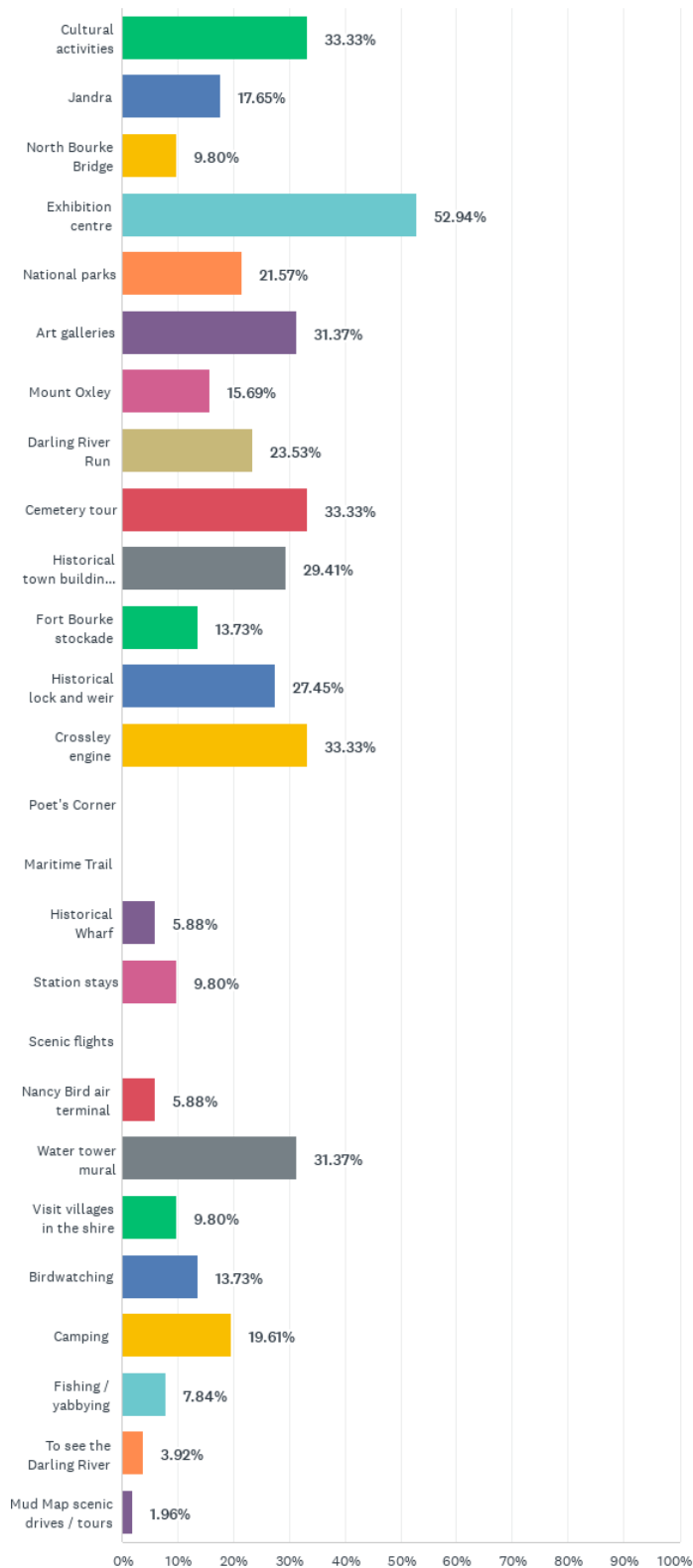
**How do you think the information that you gained from the centre might influence how long you stay and the activities that you do?**



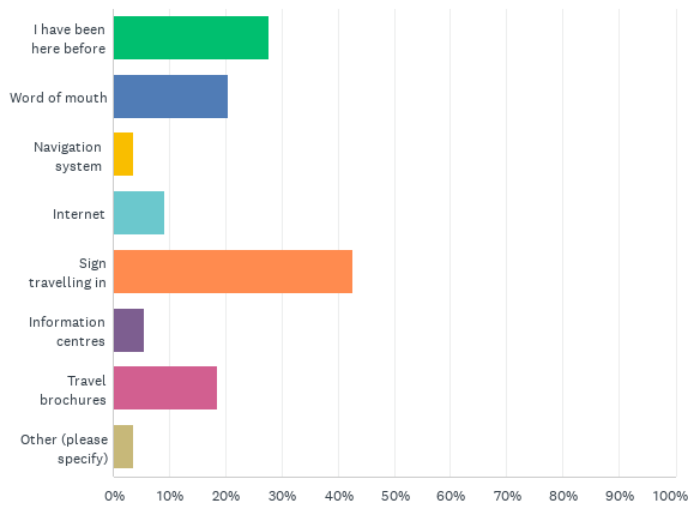
**What forms of media do you use to find information?**



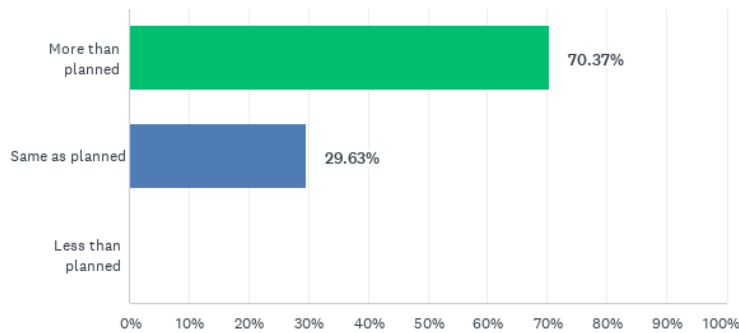
**What activities have you done or plan to do during your stay?**



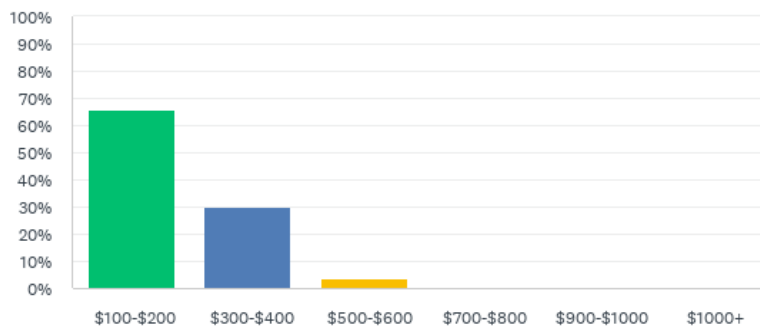
**How did you find out about this information centre?**



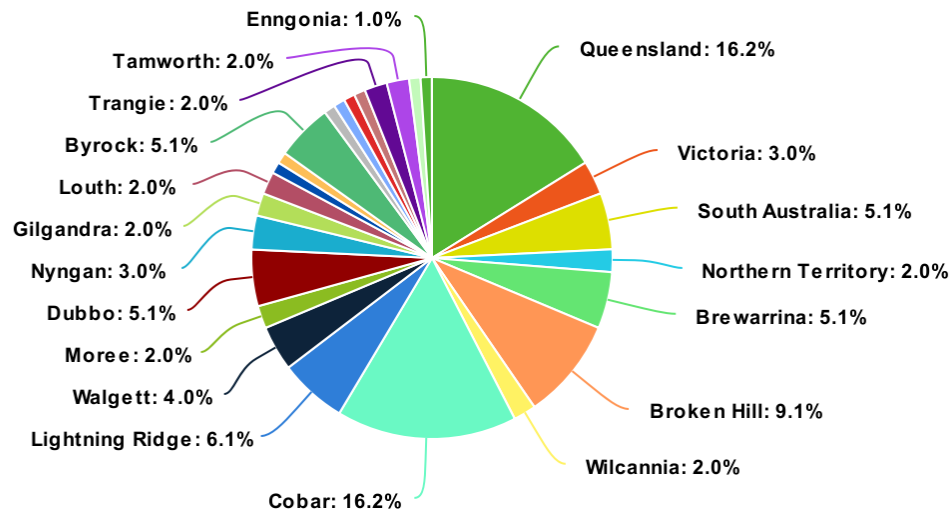
**How do you think the information that you gained from the centre might influence how long you stay and the activities you do?**



**Over the entire stay in Bourke, how much in total, including accommodation, do you estimate you have or will spend in Australian dollars?**



**What towns have you visited, or are planning to visit on this trip?**



**Please let us know about any feedback you may have regarding your stay**

- “Bronwyn has been very helpful & informative. Thank you.”
- “Having a great time.”
- “Too early to say.”
- “Mitchell Caravan Park is excellent.”
- “Your information and staff are super awesome and have lots of information. Well done.”
- “We loved the exhibition centre. Initial film suited the whole family. Also enjoyed the stories, held the kids attention well.”
- “There is a lot going for Bourke keep up the good work. Thank you. Main reason to visit was to see how beautiful the town is after all the rain and to see the river.”
- “The background noise at times restricted the hearing of the audio being listened to.”
- “Excellent presentation at visitors centre. Some silver plaques a bit difficult to read in the sunshine. Town look absolutely beautiful – a lot of civic pride – lots of flowers etc.”
- “Your centre were absolutely fabulous. Have a load of information and extremely friendly. Thank you! What a great centre. 😊”
- “Alex was very friendly.”
- “Great information in movie comprehensive and accessible collection.”

**22      CLOSED SESSION**

Nil