



MINUTES

Ordinary Council Meeting

24 July 2023

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**MINUTES OF SHIRE OF BOURKE
ORDINARY COUNCIL MEETING
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW
ON MONDAY, 24 JULY 2023 AT 9.15AM**

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

IN ATTENDANCE: Leonie Brown (General Manager), Peter Brown (Manager Works), Melanie Milgate (Economic Development Manager), Ang Pasang Rai (Manager Corporate Services), Margo Anderson (Executive Assistant - Minutes)

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:

Toby Bunyan	Christine 'Tilly' Campbell	Kathleen Dawson	Glad Eldridge
Audrey Elwood	George Fernando	Phoebe Gaffney	David Harrison
Marjorie Rose	Neville Smith	Phyliss Smith	Les Thorne
Glen Turner	Morris West		

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

A request for Leave of Absence was received from Cr Lachlan Ford who was absent from the meeting due to personal reasons.

Resolution 2023/138

Moved: Cr Sam Rice

Seconded: Cr Robert Stutsel

That the apology received from Councillor 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 due to personal reasons.

Resolution 2023/139

Moved: Cr Robert Stutsel

Seconded: Cr Victor Bartley

That Cr Grace Ridge be permitted to attend the meeting via Audio-Visual link due to her inability to attend in person due to personal reasons.

Carried

6 DISCLOSURES OF INTEREST

Cr Sally Davis declared a pecuniary conflict of interest in Item 12.3 of the Agenda – Business Arising, North Bourke Storm Water Drainage. The reason for such interest is that Cr Davis and her husband own land adjacent to the land the subject of the reports and is in discussion with Council regarding a potential sale of a portion of such land. In addition, she has a friendship with the landowner (Mr G Seiler). In making these declarations, Cr Davis advised she would leave the Chamber and be out of sight should Council separately consider the matter as part of Item 12.3 of the Agenda.

Cr Grace Ridge declared a pecuniary conflict of interest in Item 12.3 of the Agenda – Business Arising, North Bourke Storm Water Drainage. The reason for such interest is that Cr Ridge and her family have a business relationship with the owner of the land detailed within the report. In making this declaration, Cr Ridge advised that she would turn off her AV Link, and be out of sight should Council separately consider this matter as part of Item 12.3 of the Agenda.

Cr Sarah Barton declared a significant non-pecuniary interest in Item 15.4 of the Agenda - Proposed Projects Under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP). The reason for such interest is that Cr Barton is the Secretary for the Back O' Bourke Picnic Race Club who make use of the Renshaw Sporting Complex and facilities, a potential project as listed in the report. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight during Council's consideration of the matter.

Cr Grace Ridge declared a significant non-pecuniary interest in Item 15.4 of the Agenda - Proposed Projects Under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP). The reason for such interest is that Cr Ridge is the Secretary for the Bourke P & A Show Committee who make use of the Renshaw Sporting Complex and facilities, a potential project listed in the report. In making this declaration, Cr Ridge advised that she would turn off her AV Link during Council's consideration of the matter.

Cr Victor Bartley declared a significant non-pecuniary conflict of interest in Item 20.2 of the Agenda – Women’s Gathering Funding Request. The reason for such interest is that the applicant for funding assistance, and the Convener of the Women’s Gathering, Mrs Patricia Canty, is the Sister of Cr Bartley. In making this declaration, Cr Bartley advised that he would leave the Chamber and be out of sight during Council’s consideration of the matter.

Cr Sarah Barton declared a pecuniary interest in Item 21.4 of the Agenda - General Manager’s Activity Report – Pontoon Installation. The reason for such interest is that Cr Barton is an employee of the Department of Regional NSW who has provided funding for the project. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council separately consider the matter as part of Item 21.4 of the Agenda.

Cr Victor Bartley declared a pecuniary interest in Item 22.2 of the Agenda – Proposed Sale of Land to Bourke Aboriginal Corporation Health Service. 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 during Council’s consideration of the matter.

Cr Nathan Ryan declared a less than significant non-pecuniary conflict of interest in Item 22.2 of the Agenda – Proposed Sale of Land to Bourke Aboriginal Corporation Health Service. The reason for such interest is that Cr Ryan is a contractor to the Bourke Aboriginal Corporation Health Service providing yard and property maintenance to Doctor’s houses. In making this declaration Cr Ryan advised that he would remain in the Chamber but would not contribute during Council’s consideration of the matter.

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 2023/140**Moved: Cr Barry Hollman**

That the information in the Mayoral Minute – Mayoral Activities as presented to Council on Monday, 24 July 2023 be noted.

Carried**7.2 *** MAYORAL MINUTE - AGE OF CRIMINAL RESPONSIBILITY****File Number: C8.9.3, C8.9.13**

The Council had before it the report of the Mayor regarding the Mayoral Minute - Age of Criminal Responsibility.

Resolution 2023/141**Moved: Cr Barry Hollman**

1. That the correspondence from the Attorney Generals Department of the Australian Government and from the Hon Michael Daly MP, NSW Attorney General, in response to Councils opposition to an increase in the age of criminal responsibility from ten years to fourteen years, be noted.
2. That Council reply to both Attorneys General pointing out that the Maranguka Justice Reinvestment Initiative has been operating for over ten years in Bourke and that school attendance is trending downwards but violent crime such as home invasions where innocent people are threatened with weapons is increasing.
3. That Council contends that there should be no increase in the age of criminal responsibility until the Justice Reinvestment Initiative is proven to be effective.
4. That Council is concerned that the present crime situation in Bourke is intolerable with people living in fear, particularly at night, where they are vulnerable and helpless and cannot do anything to protect themselves in fear of prosecution.

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 items were identified by Council to be starred for individual consideration.

Item No	Name of Report	Officer
16.3	Annual Risk Management Program and Insurance Matters for 2023/2024 Report	Manager Corporate Services
21.2	Parks and Gardens, Town Services, Water and Wastewater Engineering Services Activity Report	Manager Works
21.4	General Manager's Activity Report	General Manager
21.6	Tourism and Events Report	Manager Economic Development

Resolution 2023/142

Moved: Cr Sarah Barton

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, 24 July 2023 be adopted, save and except for Items No 16.3, 21.2, 21.4 and 21.6 of the Agenda, with such item to be considered seperately.

Carried

9 CONFIRMATION OF MINUTES

Resolution 2023/143

Moved: Cr Cec Dorrington

Seconded: Cr Sally Davis

That the minutes of the Ordinary Council Meeting held on 26 June 2023 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

10 RESCISSION MOTIONS

Nil

11 NOTICES OF MOTION

Nil

12 BUSINESS ARISING**12.1 CALENDAR OF EVENTS****File Number: C12.6**

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

Resolution 2023/144**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Calendar of Events Report as presented to Council on Monday, 24 July 2023 be noted.

Carried**12.2 INFORMATION TO COUNCILLORS****File Number: C12.1**

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

Resolution 2023/145**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the contents of the Information to Councillors Report as presented to Council on Monday, 24 July 2023 be noted.

Carried**12.3 *** BUSINESS ARISING****File Number: C12.1**

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

Resolution 2023/146**Moved: Cr Sarah Barton****Seconded: Cr Victor Bartley**

That the information in the Business Arising Report as presented to Council on Monday, 24 July 2023 be noted.

Carried

13 ENGINEERING SERVICES DEPARTMENT

Nil

14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

Nil

15 GENERAL MANAGER**15.1 *** LOCAL GOVERNMENT NSW (LGNSW) ANNUAL CONFERENCE 12 TO 14 NOVEMBER 2023****File Number: L8.3-G2.2-M2.2**

The Council had before it the report of the General Manager regarding the Local Government NSW (LGNSW) Annual Conference 12 to 14 November 2023.

Resolution 2023/147**Moved: Cr Cec Dorrington****Seconded: Cr Sarah Barton**

- 1. That the Mayor and General Manager attend the LGNSW Annual Conference to be held 12 to 14 November 2023.**
- 2. That Councillors who wish to attend the LGNSW Annual Conference to be held 12 to 14 November 2023 nominate prior to September 2023.**

Carried**15.2 *** 2023 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS****File Number: R7.6, G2.2, M2.2**

The Council had before it the report of the General Manager regarding the 2023 National Local Roads and Transport Congress.

Resolution 2023/148**Moved: Cr Sarah Barton****Seconded: Cr Cec Dorrington**

- 1. That the Mayor and General Manager, or nominee, attend the 2023 National Local Roads and Transport Congress to be held in Canberra ACT on 6 and 7 September 2023.**
- 2. That Councillors who wish to attend the 2023 National Local Roads and Transport Congress nominate to the General Manager prior to Tuesday, 1 August 2023.**

Carried

15.3 * POTENTIAL MOTIONS FOR THE WESTERN DIVISION COUNCILS OF NSW ANNUAL CONFERENCE****File Number: L8.3, S1.1**

The Council had before it the report of the General Manager regarding Potential Motions for the Western Division Councils of NSW Annual Conference.

Resolution 2023/149**Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

- 1. That the motions as attached to the report of the General Manager be endorsed for submission by the Mayor to Cobar Shire Council for inclusion in the agenda of the 2023 Western Division Councils of NSW Annual General Meeting.**
- 2. That the Mayor and General Manager be authorised to make minor amendments to the motions if required either prior to or at the Annual General Meeting.**

Carried

At this juncture, Cr Sarah Barton left the meeting, the time being 9:33 am, Cr Grace Ridge (via AV Link) also left the meeting, the time of her departure being 9:51 am.

15.4 * PROPOSED PROJECTS UNDER PHASE 4 OF THE LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (LR&CIP)****File Number: 19895**

The Council had before it the report of the General Manager regarding the Proposed Projects Under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP).

Motion**Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

1. That the various priority Part A Projects (Roads and community infrastructure projects) and Part B Projects (Road only projects) as identified for funding under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP) in the report of the General Manager be submitted to the Australian Department of Infrastructure, Transport, Regional Development and Local Government for assessment and approval.
2. That in the event of the Department deeming a Part A priority project, as submitted by Council, as an ineligible project, the Mayor in conjunction with the General Manager be authorised to determine replacement project(s) initially from the unprioritised list as provided in the General Manager's Report or, alternatively, should available funding for replacement projects not be sufficient to fund any of the identified replacement projects, the Mayor and General Manager be further authorised to determine relevant projects, at their discretion.
3. That in the event of the Department deeming a Part B priority project as submitted by Council as an ineligible project, the further sealing of Wanaaring Road be the replacement project.

Amendment**Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

1. That the following prioritised Part A Projects (Roads and community infrastructure projects) proposed for funding under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP) be submitted to the Australian Department of Infrastructure, Transport, Regional Development and Local Government for assessment and approval:

Part A Projects - Roads and community infrastructure projects

Priority	Amount	Project Description
1	\$110,000	Replacement of splash pad surface – Bourke Pool
2	\$100,000	Tree planting program
3	\$100,000	Replacement footpath Warraweena St, adjacent to Spar Supermarket.
4	\$100,000	Public space / outdoor furniture / signage
5	\$ 30,000	Garbage bin enclosures
6	\$ 80,000	Swimming Pool Club House upgrade
7	\$150,000	North Bourke Oval Fence
8	\$200,000	Camping Overflow and “Rest area” – Location to be determined.
9	\$ 40,000	Pool furniture
10	\$289,903	Secretary’s Office / Community Space – Stage 1 / Stage 2: Renshaw Oval
Total	\$1,199,903	

2. That the Part B Project (Road only projects) as identified for funding under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP) in the report of the General Manager be submitted to the Australian Department of Infrastructure, Transport, Regional Development and Local Government for assessment and approval.
3. That in the event of the Department deeming a Part A priority project, as submitted by Council, as an ineligible project, the Mayor in conjunction with the General Manager be authorised to determine replacement project(s) initially from the unprioritised list as provided in the General Manager’s Report, except in respect of the Secretary’s Office/Community Space – Stage 2: Renshaw Oval which has now been identified as a priority project, or, alternatively, should available funding for replacement projects not be sufficient to fund any of the identified replacement projects, the Mayor and General Manager be further authorised to determine relevant projects, at their discretion.
4. That in the event of the Department deeming the Part B priority project as submitted by Council as an ineligible project, the further sealing of Wanaaring Road be the replacement project.
5. That Council make application to Racing NSW for \$60,000 in funding to undertake the Upgrading of the Race Callers Box at Renshaw Oval.

The Amendment on being put to the meeting and was carried.

Carried

The Amendment then became the Motion and on being put to the meeting was carried.

Carried

Resolution 2023/150

Moved: Cr Robert Stutsel

Seconded: Cr Victor Bartley

1. That the following prioritised Part A Projects (Roads and community infrastructure projects) proposed for funding under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP) be submitted to the Australian Department of Infrastructure, Transport, Regional Development and Local Government for assessment and approval:

Part A Projects - Roads and community infrastructure projects

Priority	Amount	Project Description
1	\$110,000	Replacement of splash pad surface – Bourke Pool
2	\$100,000	Tree planting program
3	\$100,000	Replacement footpath Warraweena St, adjacent to Spar Supermarket.
4	\$100,000	Public space/outdoor furniture/ signage
5	\$ 30,000	Garbage bin enclosures
6	\$ 80,000	Swimming Pool Club House upgrade
7	\$150,000	North Bourke Oval Fence
8	\$200,000	Camping Overflow and “Rest area” – Location to be determined.
9	\$ 40,000	Pool furniture
10	\$289,903	Secretary’s Office/Community Space – Stage 1/Stage 2: Renshaw Oval
Total	\$1,199,903	

2. That the Part B Project (Road only projects) as identified for funding under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP) in the report of the General Manager be submitted to the Australian Department of Infrastructure, Transport, Regional Development and Local Government for assessment and approval.
3. That in the event of the Department deeming a Part A priority project, as submitted by Council, as an ineligible project, the Mayor in conjunction with the General Manager be authorised to determine replacement project(s) initially from the unprioritised list as provided in the General Manager’s Report, except in respect of the Secretary’s Office/Community Space – Stage 2: Renshaw Oval which has now been identified as a priority project, or, alternatively, should available funding for replacement projects not be sufficient to fund any of the identified replacement projects, the Mayor and General Manager be further authorised to determine relevant projects, at their discretion.

4. That in the event of the Department deeming the Part B priority project as submitted by Council as an ineligible project, the further sealing of Wanaaring Road be the replacement project.
5. That Council make application to Racing NSW for \$60,000 in funding to undertake the Upgrading of the Race Callers Box at Renshaw Oval.

Carried

At this juncture, Cr Sarah Barton and Cr Grace Ridge (via AV Link) returned to the meeting, the time being 9:54 am.

16 CORPORATE SERVICES DEPARTMENT

16.1 *** BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - JUNE 2023

File Number: F1.1

The Council had before it the report of the Manager Corporate Services regarding the Bank Reconciliation and Statement of Bank Balances - June 2023.

Resolution 2023/151

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 30 June 2023 be noted.

Carried

16.2 *** INVESTMENT REPORT AS AT 30 JUNE 2023

File Number: F1.1

The Council had before it the report of the Manager Corporate Services regarding the Investment Report as at 30 June 2023.

Resolution 2023/152

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

1. That the report regarding Council's Investment Portfolio 30 Jun 2023 be received and noted.
2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.

Carried

16.3 ANNUAL RISK MANAGEMENT PROGRAM AND INSURANCE MATTERS FOR 2023/2024**File Number: I2.1**

The Council had before it the report of the Manager Corporate Services regarding the Annual Risk Management Program and Insurance Matters for 2023/2024.

Resolution 2023/153**Moved: Cr Robert Stutsel****Seconded: Cr Victor Bartley**

That Council notes the Risk Management Program review and the classes of insurance acquired for 2023/2024.

Carried**16.4 *** REVIEW OF CAPITAL WORKS PROGRAM 2022/2023 AND REALLOCATION OF FUNDS****File Number: R2.5**

The Council had before it the report of the Manager Corporate Services regarding the Review of Capital Works Program 2022/2023 and Reallocation of Funds.

Resolution 2023/154**Moved: Cr Cec Dorrington****Seconded: Cr Sarah Barton**

That the operating and capital works projects previously planned for 2022/2023 as detailed in the report of the Manager Corporate Services be revoted for expenditure as part of the Operational Plan for 2023/2024.

Carried

16.5 * ANNUAL FINANCIAL STATEMENTS - 30 JUNE 2023****File Number: F1.4.6**

The Council had before it the report of the Manager Corporate Services regarding the Annual Financial Statements - 30 June 2023.

Resolution 2023/155**Moved: Cr Cec Dorrington****Seconded: Cr Sarah Barton**

- 1. That Council's Annual Financial Statements for the year ended 30 June 2023 be referred for audit.**
- 2. That the Mayor, Councillor, General Manager, and the Responsible Accounting Officer be authorised to sign the Statement by Councillors and Management as part of the Annual Financial Statements for the year ended 30 June 2023.**

Carried**16.6 *** FINANCIAL ASSISTANCE GRANT 2023/2024****File Number: F1.4.6**

The Council had before it the report of the Manager Corporate Services regarding the Financial Assistance Grant 2023/2024.

Resolution 2023/156**Moved: Cr Cec Dorrington****Seconded: Cr Victor Bartley**

- 1. That Council notes the report detailing Councils Financial Assistance Grants recommended allocation for 2023/2024.**
- 2. That additional funds received in respect of Councils Financial Assistance Grant, being funds above those amounts estimated in Councils 2023/2024 Operational Plan, be transferred to Councils Asset Renewal Reserve.**

Carried**17 ECONOMIC DEVELOPMENT DEPARTMENT**

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

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

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

Resolution 2023/157**Moved: Cr Sarah Barton****Seconded: Cr Robert Stutsel**

That Council accede to the request to support the 26th Ronny Gibbs 7's Tournament including the waiving of oval hire, marking of ovals and fees in respect of the hire of the PV Jandra at the maximum total cost of \$1,500.00.

Carried

At this juncture, Cr Victor Bartley left the meeting, the time being 10:04 am.

20.2 * WOMEN'S GATHERING****File Number: C12.5, D5.2**

The Council had before it the report of the General Manager regarding the Women's Gathering.

Resolution 2023/158**Moved: Cr Cec Dorrington****Seconded: Cr Sam Rice**

That Council accede to the request to support the Women's Gathering facilitated by the Western NSW Local Health District including the waiving of charges for the hire of the Back O' Bourke Function Centre and PV Jandra at the maximum total cost of \$900.00.

Carried

At this juncture, Cr Victor Bartley returned to the meeting, the time being 10:06 am.

21 ACTIVITY REPORTS**21.1 ENGINEERING SERVICES - ROAD WORKS AND WORKSHOP - WORKS UNDERTAKEN****File Number: E7.1**

The Council had before it the report of the Manager Roads regarding the Engineering Services - Road Works and Workshop - Works Undertaken.

Resolution 2023/159**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That Council note the information in the Engineering Services Road Works and Workshop - Works Undertaken Activity Report as presented to Council on Monday, 24 July 2023.

Carried**21.2 PARKS & GARDENS / TOWN SERVICES / WATER & WASTE WATER ENGINEERING SERVICES ACTIVITY REPORT****File Number: E7.1**

The Council had before it the report of the Manager Works regarding the Parks & Gardens / Town Services / Water & Waste Water Engineering Services Activity Report.

Resolution 2023/160**Moved: Cr Sally Davis****Seconded: Cr Robert Stutsel**

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, 24 July 2023.

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 2023/161**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Planning, Regulatory and Environmental Services Activity Report as presented to Council on Monday, 24 July 2023 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 2023/162**Moved: Cr Robert Stutsel****Seconded: Cr Sam Rice**

That the information in the General Manager's Activity Report as presented to Council on Monday, 24 July 2023 be noted.

Carried**21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR JUNE 2023****File Number: L4.1**

The Council had before it the report of the Library Manager regarding the Library Manager's Activity Report for June 2023.

Resolution 2023/163**Moved: Cr Sarah Barton****Seconded: Cr Sam Rice**

That the information in the Library Manager's Report for June 2023 as presented to Council on Monday, 24 July 2023 be noted.

Carried

21.6 TOURISM AND EVENTS REPORT**File Number: T4.3**

The Council had before it the report of the Coordinator Tourism Operations regarding the Tourism and Events Report.

Resolution 2023/164**Moved: Cr Sally Davis****Seconded: Cr Robert Stutsel**

That the information in the Tourism and Events Report for June 2023 as presented to Council on Monday, 24 July 2023 be noted.

Carried**22 CLOSED SESSION**

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

Resolution 2023/165**Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

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

22.1 * Plant Hire Tenders 2023/2024**

This matter is considered to be confidential under Section 10A(2) - (d)(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

22.2 * Proposed Sale of Land to Bourke Aboriginal Corporation Health Service**

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 10.15am.

22.1 * PLANT HIRE TENDERS 2023/2024**

File Number: T3.1, T3.2

The Council had before it the report of the Manager Roads regarding the Plant Hire Tenders 2023/2024.

Resolution 2023/166

Moved: Cr Sarah Barton

Seconded: Cr Sally Davis

- 1. That as per Section 55 (3) (i) of the Local Government Act, Council not invite further tenders for its 2023/2024 hire of plant and equipment given the extenuating circumstances that the nature of these plant tenders is as a standing offer that may or may not be utilised, and in this regard, nothing would be achieved by inviting tenders.**
- 2. That following the annual determination by Council to accept tenders for the inclusion of nominated Plant and Equipment in Council's Annual Plant Hire Register, the General Manager be authorised to add/delete/amend any such plant on the Plant Hire Register involving plant and equipment tendered by an organisations as part of Council's Annual Plant Hire and Equipment Tender.**
- 3. That the documents and considerations remain confidential to Council.**

Carried

At this juncture, Cr Victor Bartley left the meeting, the time being 10:16 am.

22.2 * PROPOSED SALE OF LAND TO BOURKE ABORIGINAL CORPORATION HEALTH SERVICE**

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

The Council had before it the report of the General Manager regarding the Proposed Sale of Land to Bourke Aboriginal Corporation Health Service.

Resolution 2023/167

Moved: Cr Robert Stutsel

Seconded: Cr Sarah Barton

- 1. That Council proceed to sell to the Bourke Aboriginal Corporation Health Service (BACHS), Lot 6 DP 35797, Lot 7 DP 35797, Lot 8 DP 35797, Lot 9 DP 35797 and Lot 10 DP 35797 all located in Mitchell Street, Bourke at a combined price of \$45,000 (Ex GST) for the purpose of the construction of a primary care clinic by the BACHS for the Bourke region.**
- 2. That the sale of such land be subject to development consent being forthcoming for the proposed primary care clinic.**
- 3. That in the event that no DA approved construction has begun on the site within a period of two (2) years of Councils resolution herewith, the land offer will be reassessed by Council.**

4. 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 10:18 am.

Resolution 2023/168

Moved: Cr Sally Davis

Seconded: Cr Sarah Barton

That Council moves out of Closed Council into Open Council.

Carried

Open council resumed at 10.18 am.

RESOLUTIONS FROM CLOSED SESSION OF COUNCIL

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

The Meeting closed at 10.23am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 August 2023.

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CHAIRPERSON