



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

Date: Monday, 25 September 2023
Time: 9.15am
Location: Bourke Shire Council
29 Mitchell Street Bourke NSW

BUSINESS PAPER

Ordinary Council Meeting

25 September 2023

Leonie Brown
General Manager

Time	Event	Representative	Organisation
9.00am	Community Open Forum for members of the public to address Council		
10.30am	Monthly Update	Acting Inspector David Marr and Acting Inspector Jason Kempa	Central North Police District



DECLARATION OF INTEREST FORM COUNCIL OFFICIAL

FOR USE AT COUNCIL AND COMMITTEE MEETINGS

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

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

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.

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- 1 OPENING PRAYER**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 REMEMBRANCE**
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- 5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS**
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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 18 August 2023 to 20 September 2023 were as follows:

Date	Meeting	Location
28/08/2023	Bourke Shire Council Meeting	Council Chambers
28/08/2023	Citizenship Ceremony	Council Chambers
30/08/2023	Extraordinary Meeting of FNWJO	Conference room via Audio Visual Link
06-07/09/2023	National Local Roads, Transport and Infrastructure Congress 2023	Kambri Cultural Centre, ANU, Canberra
08/09/2023	Alliance of Western Councils Board Meeting	Dubbo Regional Council
08/09/2023	Meeting with the Hon Jenny Aitchison MP, Member for Maitland, Minister for Regional Transport and Roads	Dubbo Regional Council

Recommendation

That the information in the Mayoral Minute – Mayoral Activities Report as presented to Council on Wednesday, 25 September 2023 be noted.

8 MAYORAL ELECTION

8.1 *** ELECTION OF MAYOR

File Number:	C11.5
Author:	Leonie Brown, General Manager
Authoriser:	Leonie Brown, General Manager
Attachments:	1. Schedule 7 of the Local Government (General) Regulation 2005 2. Nomination Form for the Office of Mayor

Background

As per the *Local Government Act* (s.287) an ordinary election of councillors for an area is to be held on the second Saturday of September in every fourth year after 2008. Accordingly, as per this cycle, an ordinary election for Bourke Shire Council would normally have been held on Saturday 12 September 2020. Due to the outbreak of COVID and resulting restrictions, however, these elections were subsequently postponed till 4 September 2021 and then again till 4 December 2021.

In respect of this December 2021 election, the number of nominations received equalled the number of Councillor positions available. This situation, referred to as an uncontested election, resulted in the 10 candidates who nominated duly elected to Bourke Shire Council.

In this regard, the *Local Government Act* provides that where a person holds civic office without a poll being held, they are taken to have been elected on the day on which the poll for an ordinary election would have been held. In this case, the election day was 4 December 2021. The term of this Council ends on the day of the Council's next ordinary election, being 14 September 2024.

In accordance with Sections 227(a) and 282(2) of the *Local Government Act 1993* (the Act), the Mayor of Bourke Shire Council is elected by the Councillors from among their number.

As per Section 290 (1)(a) of the Act, the election of the Mayor by the Councillors is to be held, if it is the first election after an ordinary election of councillors, within 3 weeks after the ordinary election. Accordingly, the election for the Mayor of Bourke Shire was conducted at an Extraordinary Meeting of Council held on 10 December 2021.

Mayors elected by councillors, as is the case in Bourke, would normally hold their office for two years (unless a casual vacancy occurs). In this regard, Councils that elect their mayors are required under the Act, (Section 290 (1)(b)), to hold mid-term mayoral elections in the month of September, based on a four (4) year election cycle. Due to the postponement of the ordinary council elections being deferred to 4 December 2021, the Office of Local Government in its "Post-Election Guide for Councils and Joint Organisations 2021" advised of this cycle, "that the mid-term mayoral elections will need to be held in September 2023. The mayor elected at the mid-term mayoral election (2023) will hold their office until the day of the council's next ordinary election in September 2024 when their civic office as a councillor and mayor will expire."

The OLG has recently confirmed this by Circular dated 1 August 2023 that “Mayors elected in September 2023 will hold their office until council elections are held on 14 September 2024.”

Current Situation

Having regard to the requirements for the election of Mayor, nominations are invited for the Office of Mayor of Bourke Shire Council for the Mayoral Term, being the period from the declaration of the Mayor as to be elected to office at the meeting of Council to be held on 25 September 2023 until the term automatically expires on 14 September 2024, when their term as a councillor also expires. The Nomination Form for the Office of the Mayor is attached herewith.

Procedure for Election of Mayor and Deputy Mayor

The election of Mayor and Deputy Mayor for Bourke Shire Council must be conducted in accordance with Schedule 7 of the Local Government (General) Regulation 2005. A copy of Schedule 7 forms part of this report for information as Attachment 1 Election of Mayor and Deputy Mayor.

Councillors attention is drawn to the following from the Schedule:

1. Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2. Nomination

(1) A councillor may be nominated without notice for election as mayor or deputy mayor.

(2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

(3) The nomination is to be delivered or sent to the returning officer.

(4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3. Election

(1) If only one councillor is nominated, that councillor is elected.

(2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

(3) The election is to be held at the council meeting at which the council resolves on the method of voting.

(4) In this clause—

ballot has its normal meaning of secret ballot.
open voting means voting by a show of hands or similar means.

For information, "Preferential Ballot" means the placing of the numbers 1 and 2 and so on against the various names so as to indicate the order of preference for all of the candidates.

In regard to the issue of the method of voting, Bourke Shire Council has traditionally utilised ordinary or secret ballots to determine the Office of Mayor and Deputy Mayor. However, given the amendments that have been made to Councils Code of Meeting Practice which allow Councillors to participate in meetings by Audio-Visual Link instead of attending in person, the Office of Local Government has previously provided the following information for Councillors when determining the issue of "Method of Voting":

Open ballots (Show of hands) can be undertaken remotely where a council is conducting its meetings by audio visual link. Ordinary and preferential ballots are secret ballots and councillors will need to attend the meeting in person if the election is to be by way of an ordinary or preferential ballot.

In deciding which method to use for the mayoral election, councils should consider the personal circumstances of their councillors to ensure that all councillors can participate in the mayoral election.

The OLG has recently confirmed this by advice on 1 August 2023 that:

- *Councillors can participate in mayoral elections using an open ballot by audio visual link but not where the other two methods of election are used.*
- *Ordinary and preferential ballots are secret ballots and councillors will need to attend the meeting in person to vote if the mayoral election is held using either of these methods.*

Financial Implications

Councils Operational Plan provides for the payment of fees to the Mayor and Councillors in accordance with Sections 252 and 248, respectively, of the Local Government Act 1993 and also provides for the payment of expenses and provision of facilities to the Mayor and Councillors in accordance with the adopted policy.

Recommendation

- 1. That should an election be required for the Office of Mayor and Deputy Mayor that Council determine the method of voting.**
- 2. That it be noted that the Mayoral Term for the upcoming period is from 25 September 2023 till it automatically expires on 14 September 2024, when the term of all Bourke Shire Councillors also expires, being the day of the 2024 Council elections.**
- 3. That on the finalisation of the count all ballot papers, if applicable, be destroyed.**

ATTACHMENT 1**ELECTION OF MAYOR AND DEPUTY MAYOR**

Schedule 7 of the *Local Government (General) Regulation 2005*

PROCEDURES FOR THE ELECTION OF MAYOR AND DEPUTY MAYOR

Schedule 7 of the *Local Government (General) Regulation 2005* outlines the following procedures for the election of a Mayor and Deputy Mayor.

Schedule 7 Election of Mayor by Councillors**Part 1 Preliminary****1 Returning officer**

The General Manager (or a person appointed by the General Manager) is the returning officer.

2 Nomination

- (1) A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.
- (2) The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

3 Election

- (1) If only one Councillor is nominated, that Councillor is elected.
- (2) If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the Council meeting at which the Council resolves on the method of voting.
- (4) In this clause:
 - *ballot* has its normal meaning of secret ballot.
 - *open voting* means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting**4 Application of Part**

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.

(2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.

(3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

(1) If there are only 2 candidates, the candidate with the higher number of votes is elected.

(2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

(1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.

(2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.

(3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.

(4) A further vote is to be taken of the 2 remaining candidates.

(5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.

(6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

(1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.

(2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.

(3) An informal ballot-paper must be rejected at the count.

10 Count

(1) If a candidate has an absolute majority of first preference votes, that candidate is elected.

(2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the un-exhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.

(3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her un-exhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.

- (4) In this clause, *absolute majority*, in relation to votes, means a number that is more than one-half of the number of un-exhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as Mayor or Deputy Mayor) is:

- (a) to be declared to the Councillors at the Council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.

Note: This is the Chief Executive of the Office of Local Government and the Chief Executive of Local Government NSW.

345 Informal ballot-papers

- (1) A ballot-paper of an elector at an election is informal if:
- (a) the elector has failed to record a vote on it in the manner directed on it, or
 - (b) it has not been initialled on the front by an election official, or
 - (c) it contains a mark or writing that, in the returning officer's opinion, would enable the elector to be identified.
- (2) Despite subclause (1), a ballot-paper of an elector at an election in which only one candidate is to be elected is not informal merely because a tick or a cross has been placed in one square and the other square or squares have been left blank. In such a case the tick or the cross is to be treated as a first preference.
- (3) (Repealed)

(4) Despite subclause (1), a ballot-paper of an elector at an election is not informal merely because a preference (other than a first preference) has been repeated or omitted so long as the ballot-paper shows at least the minimum number of preferences required by the directions.

(5) Despite subclause (1), a ballot-paper of an elector at an election is not informal merely because it has not been initialled on the front by an election official, so long as it bears the mark referred to in clause 305 (2).

(6) Despite subclause (1), a ballot-paper of an elector at an election is not informal by virtue of the existence of an unnecessary mark on the ballot-paper if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper.

(6A) Despite subclause (1), a ballot-paper is not informal by reason only that the elector has placed one or more numbers, a tick or one or more crosses adjacent to but outside a square or squares if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper. In such a case, each such number, tick or cross is taken to have been placed within the relevant square.

(7) Nothing in subclause (2) authorises any person to encourage a voter to place a tick or a cross in a square on a ballot-paper.

Note. Section 308C of the Act makes provision concerning the formality of ballot-papers where the voter marks, crosses or ticks a group voting square, or where the ballot papers contain the name of a candidate whom a court has declared to be incapable of being elected.

Attachment 2.



NOMINATION FOR THE OFFICE OF MAYOR

In accordance with the provisions of Schedule 7 of the Local Government (General) Regulation 2005, we hereby nominate _____ (Print name) for the office of Mayor, Bourke Shire Council for the period 25 September 2023 till 14 September 2024.

Signed _____
(Signature)

Councillor _____
(Print name)

Signed _____
(Signature)

Councillor _____
(Print name)

I, Councillor _____ (Print name) hereby consent to my nomination as the Mayor of Bourke Shire Council.

(Signature) (Date)

Please Note: The nomination must be made by at least two (2) Councillors (one who can be the nominee) and accepted by the nominated Councillor and dated. The completed nomination form should be delivered to the Returning Officer (General Manager) either prior to or at the Council meeting to be held on 25 September 2023.

8.2 * ELECTION OF DEPUTY MAYOR**

File Number: C11.6
Author: Leonie Brown, General Manager
Authoriser: Leonie Brown, General Manager
Attachments: 1. Nomination Form for the Office of Deputy Mayor

Background

Section 231 of the *Local Government Act 1993* provides in part:

- (1) The Councillors may elect a person from among their number to be the Deputy Mayor.*
- (2) The person may be elected for the Mayoral term or a shorter term.*
- (3) The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.*
- (4) The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this sections, or if no Deputy Mayor has been elected.*

Current Situation

On the assumption that Councillors wish to again create the Office of Deputy Mayor for Bourke Shire Council and in doing so, elect a Deputy Mayor for a term to coincide with the Mayoral Term, nominations are invited. A nomination form for the office has been prepared and is attached.

The election of Deputy Mayor will also be in accordance with Schedule 7 of the Local Government (General) Regulation 2005, as followed for the election of the Mayor.

Financial Implications

Councils Operational Plan provides for the payment of fees to the Mayor and Councillors in accordance with Section 252 of the Local Government Act 1993 and also provides for the payment of expenses and provision of facilities to the Mayor and Councillors in accordance with the adopted policy.

In accordance with s.249 (5) of the Local Government Act, Council may pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee so paid must be deducted from the Mayor's annual fee.

Recommendation

- 1. That Council proceed to create the Office of Deputy Mayor, Bourke Shire Council and elect a Deputy Mayor.**
- 2. That the period for which the Deputy Mayor is to be elected is the Mayoral Term.**
- 3. That all ballot papers be destroyed following the declaration of the Office of Deputy Mayor, if applicable.**

Attachment 1.



NOMINATION FOR THE OFFICE OF DEPUTY MAYOR

In accordance with the provisions of Schedule 7 of the Local Government (General) Regulation 2005, we hereby nominate _____ (Print name) for the office of Deputy Mayor, Bourke Shire Council for the period 25 September 2023 till 14 September 2024.

Signed _____
(Signature)

Councillor _____
(Print name)

Signed _____
(Signature)

Councillor _____
(Print name)

I, Councillor _____ (Print name) hereby consent to my nomination as the Deputy Mayor of Bourke Shire Council.

(Signature) (Date)

Please Note: The nomination must be made by at least two (2) Councillors (one who can be the nominee) and accepted by the nominated Councillor and dated. The completed nomination form should be delivered to the Returning Officer (General Manager) either prior to or at the Council meeting to be held on 25 September 2023.

4.

8.3 * DETERMINATION OF MEETING TIME AND SCHEDULE**

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

Background

Council's adopted Code of Meeting Practice requires (3.2) "That Council shall by resolution set the frequency, time, date and place of its ordinary meetings." Under the provisions of Section 365 of the *Local Government Act 1993*, the Council is required to meet at least ten times each year, each time in a different month.

The Local Government Act 1993 provides as follows in respect of Council Meetings:

Clause 9 - Public notice of meetings

1. *A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are councillors.*
2. *A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.*
 - 2A. *In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public—*
 - (a) *the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and*
 - (b) *the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.*
3. *The copies are to be available to the public as nearly as possible to the time they are available to councillors.*
4. *The copies are to be available free of charge.*
5. *A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.*

Clause 367 - Notice of meetings

1. *The general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.*

2. *Notice of less than 3 days may be given of an extraordinary meeting called in an emergency.*
3. *A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a councillor in electronic form but only if all councillors have facilities to access the notice, agenda and business papers in that form.*

Current Situation

Council has previously resolved that the Ordinary Meeting of Council be scheduled for the fourth Monday of each month commencing at 9.15 am. The exception to this is that Council would generally meet on the third Monday in December and then not meet in January. Whilst the lead up to Christmas is a busy period, the month of January is traditionally a quiet time in Bourke due to the holiday season and the resulting number of people away from the Town.

Meetings have generally been held in the Bourke Shire Council Chamber, 29 Mitchell St, Bourke.

It is important that Council selects a time and date suitable to all members of Council to ensure that all Councillors can regularly attend.

Whilst it is noted in the Code of Meeting Practice the time and date and place of Meetings is to be determined by resolution, a meeting time can be changed by resolution and public notice is given of the change.

Council should determine whether it wishes to hold its meeting on the same day of the month and at the same time or wishes to change the day or time.

In terms of Council meeting dates, it is also appropriate that Council has regard to the need to change a meeting date due to a Public Holiday. In this regard, for instance, in the past ANZAC Day has fallen on the 4th Monday of April. As such, and based on past practice, Council has held its April meeting on Tuesday 26 April.

For the period September 2023 to September 2024 (inclusive) however, there are no conflicting dates between Councils regular 4th Monday of the month meeting schedule and Public Holidays in New South Wales. For information, Public Holidays fall on the following dates during such 12-month period:

	2023	2024
New Year's Day		Monday, 1 January
Australia Day		Friday, 26 January
Good Friday		Friday, 29 March
Easter Saturday		Saturday, 30 March
Easter Sunday		Sunday, 31 March
Easter Monday		Monday, 1 April
Anzac Day		Thursday, 25 April
King's Birthday		Monday, 10 June
Bank Holiday		Monday, 5 August
Labour Day	Monday, 2 October	Monday, 7 October

	2023	2024
Christmas Day public holiday	Monday, 25 December	Wednesday, 25 December
Boxing Day	Tuesday, 26 December	Thursday, 26 December

(Source: www.industrial-relations.nsw.gov.au)

Should the need arise, Extraordinary Meetings can be scheduled.

Accordingly, and based on Councils past practice of meeting on the fourth Monday of each month, excepting in December where it generally meets on the third Monday and then not meet in January, the following dates are proposed for ordinary meetings of Council for the period October 2023 till August 2024. The August 2024 meeting is proposed to be the last ordinary meeting of the current Council with the General Elections for NSW Councils to be held on 14 September 2024. The newly elected Council would then determine its meeting schedule moving forward.

Month	Day / Date / Time
October	Monday / 23 October 2023 / 9.15am
November	Monday / 27 November 2023 / 9.15am
December	Monday / 18 December 2023 / 9.15am
January	No Meeting
February	Monday / 26 February 2024 / 9.15am
March	Monday / 25 March 2024 / 9.15am
April	Monday / 22 April 2024 / 9.15am
May	Monday / 27 May 2024 / 9.15am
June	Monday / 24 June 2024 / 9.15am
July	Monday / 22 July 2024 / 9.15am
August	Monday / 26 August 2024 / 9.15am

Following Council’s formal determination of the meeting schedule, notice will be provided on Councils website and an advertisement placed in the next available issue of the Western Herald detailing the Meeting Dates for the Ordinary Meetings of Council for the period October 2023 till September 2024 with their location being the Council Chambers, 29 Mitchell Street Bourke, unless otherwise determined. This is as per Councils Code of Meeting Practice.

Recommendation
<ol style="list-style-type: none"> 1. That Council’s scheduled meeting day be generally the fourth Monday of each month, as set out in the report of the General Manager for the period October 2023 up to and including 14 September 2024, being the date of the General Local Government Elections in NSW, with meetings commencing at 9.15 am with a Public Forum being held from 9.00am till 9.15am, as required, on the day of the Council meeting. 2. That public notice be given in relation to the proposed meeting schedule in accordance with Councils Code of Meeting Practice.

8.4 * COMPOSITION OF COUNCIL COMMITTEES AND APPOINTMENT OF DELEGATES TO OTHER ORGANISATIONS**

File Number:	C6.1
Author:	Leonie Brown, General Manager
Authoriser:	Leonie Brown, General Manager
Attachments:	1. Table 1. Council Internal Committees 2. Table 2. Local Government Organisations 3. Table 3. Inter Government Liaison Groups 4. Table 4. Community Liaison Groups 5. Table 5. Regional Advisory Groups

Background

Council has previously adopted committees that operate internally and has also adopted representation on a number of committees and organisations external to Council. These committees and delegates for Bourke Shire Council were last reviewed as part of the Business Paper for the election of the Mayor for the 2021-2023 term. It is appropriate that they be again reviewed for the September 2023-2024 Mayoral Term.

Current Situation

In terms of Councils Internal Committees, Council has previously resolved to maintain four (4) standing Committees (being the Roads and Plant Committee, Corporate Planning Committee, Town and Village Committee and the Tourism and Economic Development Committee) and the General Manager's Performance Review Committee.

In regard to such Internal Committees, whilst all Councillors are members of each of the four (4) standing committees, it is acknowledged that apart from the Corporate Planning Committee, none of the other committees have met in the past 12 months. Rather, any matters requiring determination have either been workshopped, and then submitted to Council, or submitted directly to Council. Accordingly, I would propose that these Committees be disbanded.

Matters requiring Councillor input, such as Councils Operational Plan, can be discussed at a workshop involving all councillors, rather than being submitted to a Committee. Regardless of whether the subject matter is workshopped or sent to a Committee, the matter is ultimately referred to, and determined by, Council. In respect of the remaining Internal Committee as previously formed, being the General Manager's Performance Review Committee, comprising the Mayor and Deputy Mayor, as per the General Managers Contract of Employment, this Committee would continue to be formed and operate, as required.

There are a number of other committees and organisations to which Council provides a delegate to, or is represented at meetings, and these are included in the attached listings together with the name of the last appointee.

The listings also include brief details in relation to each of the organisations to which Council provides delegates and the level of involvement.

For information, the following organisations have been added to the attached lists following determinations by Council:

Local Government Organisations Listing:

- Country Mayors Association of NSW
- Alliance of Western Councils
- Border Region Organisation of Councils
- Far North West Joint Organisation

Financial Implications

Provision has been made in the 2023/2024 Operational Plan (Budget) for the expenses incurred in the attendance of Councillors and staff as members, delegates or representatives of the various committees as detailed.

Recommendation

- 1. That Council no longer form its four (4) standing Committees (being the Roads and Plant Committee, Corporate Planning Committee, Town and Village Committee and the Tourism and Economic Development Committee).**
- 2. That Council adopt the General Managers Performance Review Committee as its only Internal Committee, as provided for in the listing attached to the report of the General Manager.**
- 3. That Council maintain involvement in, and be represented on, the various Local Government Organisations, Inter Government Liaison Groups, Community Liaison Groups and Regional Advisory Groups as provided for in the listing attached to the report of the General Manager.**
- 4. That the Delegates to outside organisations be notified to those organisations together with appropriate contact details.**

Table 1

Council Internal Committees						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Other Comments
Plant and Roads	All		As per Charter	As per Charter	As required	
Corporate	All		As per Charter	As per Charter	As required	
Towns and Villages	All		As per Charter	As per Charter	As required	
Economic Development and Tourism	All		As per Charter	As per Charter	As required	
GENERAL MANAGER'S PERFORMANCE REVIEW	Mayor and Deputy Mayor	N/A	Review General Manager's Performance	Council Chambers	As per Contract of Employment	

Table 2

Local Government Organisations						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
ALLIANCE OF WESTERN COUNCILS	Mayor and General Manager	Deputy Mayor / Acting General Manager	To collaborate with Western NSW Councils to achieve valuable outcomes for western NSW	Rotated amongst member councils	Quarterly	Member
COUNTRY MAYORS ASSOCIATION OF NSW	Mayor and General Manager	Deputy Mayor / Acting General Manager	Rural and coastal councils in NSW advocating on issues that affect the various member communities	Sydney/Regional Locations	Quarterly	Member
FAR NORTH WEST JOINT ORGANISATION OF COUNCILS (FNWJO)	Mayor and General Manager	Deputy Mayor / Acting General Manager	To look at regional based initiatives with positive outcomes for member councils	Bourke	As scheduled	Member
FNWJO GENERAL MANAGERS ADVISORY COMMITTEE	General Manager	Acting General Manager	To provide recommendations to the Board of the FNWJO and to progress regional collaboration	Bourke	As required	Member
WESTERN DIVISION COUNCILS OF NSW	Mayor, Deputy Mayor and General Manager		To perform an advocacy role on behalf of Councils and residents within the Western Division of NSW	Rotated amongst member councils	As scheduled	Member

Local Government Organisations						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
ORANA WATER UTILITIES ALLIANCE BOARD	Mayor and General Manager	Deputy Mayor / Manager Works	To review the strategic direction and operation of the Orana Water Utilities Alliance.	Rotated amongst member councils	As required	Member
ORANA WATER UTILITIES ALLIANCE TECHNICAL COMMITTEE	Manager Works	Nil	To progress the strategic direction and operation of the Orana Water Utilities Alliance.	Rotated amongst member councils	As required	Member
NETWASTE	Manager Environmental Services	Environmental Services Officer	To coordinate strategic waste disposal initiatives	Rotated amongst member councils	Quarterly	Member
DARLING RIVER RUN	Economic Development Manager	Coordinator Tourism Operations	To promote the Darling River Run as a tourism route	Various and by phone	As required	Member
WESTERN DIVISION OF COUNCILS OF NSW	Mayor, Deputy Mayor and General Manager		To perform an advocacy role on behalf of Councils and residents within the Western Division of NSW	Rotated amongst member Councils	As required	Member
BORDER REGIONAL ORGANISATION OF COUNCILS	Mayor and General Manager	Deputy Mayor / Acting General Manager	To participate in advocacy and progress the strategic direction on issues in common affecting Councils either side of the Border	Rotated amongst member Councils	Quarterly	Member

Local Government Organisations						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
KAMILAROI HIGHWAY PROMOTIONAL COMMITTEE	Cr Davis and Economic Development Manager	Cr Ford	To investigate, develop and implement promotional opportunities	Rotated amongst member councils and via phone	As required	Member
KIDMAN WAY PROMOTIONAL COMMITTEE	Cr Davis and Economic Development Manager	Cr Ford	To promote and develop the tourist opportunities of towns serviced by the Kidman Way	Rotated amongst member councils	As required	Member
OUTBACK ARTS	Vacant	Vacant	To promote the arts and arts related activities in outback western NSW	Coonamble	Quarterly	Member

Table 3

Inter Government Liaison						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
BUSHFIRE LIAISON COMMITTEE	Mayor, General Manager and Manager Corporate Services	Cr Davis	To work with the RFS to ensure compliance with the Service Level Agreement and preparedness for fires	Either Bourke or Brewarrina	Six monthly	Attendee
LOCAL EMERGENCY MANAGEMENT COMMITTEE	General Manager	Manager of Works	To ensure adequate preparedness and planning for emergency situations	Bourke	Quarterly	Chairperson and provision of secretariat
BOURKE LOCAL TRAFFIC COMMITTEE *Deputy Mayor is the Local Members Representative	Mayor, Manager of Roads and Manager of Works	Engineering Technical Officer	To review local traffic issues, parking, speed zones etc	Council Chambers	As required	Membership and provision of secretariat
JOINT REGIONAL PLANNING COMMITTEE	Mayor and Deputy Mayor	Cr Stutsel	To review and determine significant planning application matters	Council Chambers or via teleconference	As required	Planning matters relating to Bourke Shire

Table 4

Community Liaison Groups						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
BOURKE LIQUOR ACCORD	Cr Bartley and General Manager	Cr Dorrington	To review and develop policy in regard to the sale of alcohol within the Shire	Bourke	As required	Membership and provision of secretariat
COMMUNITY ABORIGINAL WORKING PARTY	General Manager and Economic Development Manager	Manager of Corporate Services	Provide an advocacy role on behalf of the Bourke Aboriginal Community	Bourke	As required	Invitee
BOURKE BUSINESS DEVELOPMENT GROUP	Mayor, General Manager and Economic Development Manager		To develop and implement strategies aimed at strengthening the business sector of Bourke and the growth of the town itself	Bourke	As required	Membership and provision of secretariat
BOURKE SHIRE COUNCIL ABORIGINAL CONSULTATIVE COMMITTEE	Mayor, Cr Ford, Cr Bartley and Cr Barton		As per charter	Council Chambers	As per charter	Membership and provision of secretariat
BOURKE TOURISM ADVISORY COMMITTEE (TAC)	Mayor, Cr Stutsel, Cr Barton, 3 x Tourism Industry, 1 x NP&WS and Economic Development Manager(Advisory)		To provide a mechanism to ensure that significant issues affecting the tourism industry within the Bourke Shire Council area are clearly identified and raised in the appropriate forums		As per charter	Membership and provision of secretariat

Community Liaison Groups						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
JB RENSHAW SPORTING COMPLEX USER GROUP ADVISORY COMMITTEE (TAC)	Mayor, Cr Stutsel, 2 x Back O' Bourke Picnic Race Club, 2 x Bourke Gun Club, 2 x Bourke Pony Club, 2 x Bourke Show Committee	Others on a needs basis	To determine the strategic priorities of the complex	JB Renshaw Meeting Complex	As required	Membership and provision of secretariat

Table 5

Regional Advisory Groups						
Committee	Delegate(s)	Alternate	Purpose	Meeting Place	Meeting Frequency	Council Involvement
MURRAY DARLING ASSOCIATION	Mayor	Cr Rice	To discuss water flow and allocations within the river system	Various	As scheduled	Member
MACQUARIE VALLEY ADVISORY COMMITTEE	Weeds Officer	Manager Environmental Services	To implement the regional weeds eradication strategy	Various	As scheduled	Member
BARWON DARLING WATER GROUP	Mayor and Deputy Mayor	General Manager, Manager Works	To discuss water flow and allocations within the river system	Walgett or Bourke	As scheduled	Member

8.5 * DELEGATIONS TO THE MAYOR**

File Number: A3.8
Author: Leonie Brown, General Manager
Authoriser: Leonie Brown, General Manager
Attachments: 1. Draft Policy - Mayor Delegations

Background

Section 377 of the *Local Government Act* provides the opportunity for Council to be able to delegate some of its functions to other organisations or people with the exception being those matters detailed in that section as functions that are only to be exercised by Council.

Section 377 of the *Local Government Act* states that:

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:

- (a) the appointment of a general manager,*
- (b) the making of a rate,*
- (c) a determination under [section 549](#) as to the levying of a rate,*
- (d) the making of a charge,*
- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
- (j) the adoption of an operational plan under [section 405](#),*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under [section 194](#),*
- (q) a decision under [section 356](#) to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under [section 234](#) to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*

(u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

Further to this the *Local Government Act* at section 226 defines the role of the Mayor as follows:

- (a) to be the leader of the Council and a leader in the local community,*
- (b) to advance community cohesion and promote civic awareness,*
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities,*
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council,*
- (e) to preside at meetings of the Council,*
- (f) to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with this Act,*
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the Council,*
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council,*
- (i) to promote partnerships between the Council and key stakeholders,*
- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,*
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community,*
- (l) to carry out the civic and ceremonial functions of the Mayoral office,*
- (m) to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,*
- (n) in consultation with the Councillors, to lead performance appraisals of the General Manager,*
- (o) to exercise any other functions of the Council that the Council determines.*

Current Situation

The Mayors delegations are contained within the attached policy document to reflect the Local Government Act.

Financial Implications

There are no significant financial impact arising from this report.

Recommendation

- 1. That Policy No 1.5.1 (v11) being Mayoral Delegations be adopted.**
- 2. That Council delegates to the Mayor, the delegations as detailed in attached Policy document numbered 1.5.1(v11).**

SECTION No. Service Management
PART No. Delegations



Mayor Delegation

Policy No: 1.5.1 (v11)
Date Adopted:
Minute No: 2023/

DRAFT

Supersedes: Mayor Delegation 1.5.1 (v10)
Adopted 10/12/2021
Resolution Number 2021/346

Proposed Review Date: September 2024

Responsible Officer: General Manager

Verified by General Manager..... Verified by Mayor.....

1. Intent

The objectives of this policy are to:-

Give effect to the provisions of the *Local Government Act 1993*, and any other Act conferring powers or duties upon the Mayor and to any resolution or direction given to the Mayor by the Council.

2. Scope

In accordance with the provisions of Section 377 of the *Local Government Act 1993*, the Mayor is delegated the following powers and duties by Council on 25 September 2023, effective from that date.

3. Framework**Statutory role**

- (a) to be the leader of the Council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council,
- (e) to preside at meetings of the Council,
- (f) to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the Council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council,
- (i) to promote partnerships between the Council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community,
- (l) to carry out the civic and ceremonial functions of the Mayoral office,
- (m) to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the Councillors, to lead performance appraisals of the General Manager,
- (o) to exercise any other functions of the Council that the Council determines.

4. Accountabilities

Pursuant to the *Local Government Act 1993* and Regulations, and any expressed policy or direction of Council and as per Section 226 of the *Local Government Act*, being the defined Role of the Mayor, that Council in accordance with the

provisions of Section 377 of the *Local Government Act 1993* and every other enabling statutory power, delegates to the person who occupies the position of Mayor, to perform on behalf of Council the following powers, authorities, duties or functions.

1. Council Seal

- Authorise the Mayor to be a necessary signatory to documents requiring Council's seal.

2. Media Relations/Promotion of Council

- To make media statements or releases on behalf of Council.
- To promote the area of Council through representations, delegations, functions and personal approaches within the budget provisions.

3. Negotiations

- To represent Council, in conjunction with the General Manager, in deputations to Government officials and elsewhere where it is appropriate that the Mayor should present the Council's position.
- To participate in negotiations on behalf of the Council with third parties and in connection with the sale, purchase and lease of lands and buildings in conjunction with the General Manager.

4. Policy Making

- To exercise in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

5. Integrated Planning

- To give direction, in conjunction with the General Manager, to the Council in pursuit of the objectives and strategies contained within the Bourke Shire Community Strategic Plan and the Bourke Shire Council Operational and Delivery Plans.

6. Correspondence

- To sign correspondence on behalf of the Council.

7. Urgent Works

- To authorise any work which is deemed urgent at a cost not exceeding \$50,000 provided that such expenditure is reported to the Council at its next Ordinary Meeting.

8. Complaints Against the General Manager

- The Mayor shall have the power to investigate substantive written complaints against the General Manager, and shall, if warranted, report as required to an Ordinary Meeting of Council.

9. Attendance at Conferences, Seminars, and Functions by Councillors

- The Mayor may authorise a Councillor to attend a conference, seminar or function within or outside the Council area. (Conference means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training session events, etc, held within

Australia, related to the industry of local government – See Council Policy: Payment of Expenses and Provision of Facilities for Councillors.

10. Day-to-Day Oversight and Liaison with the General Manager

- The Mayor shall be responsible for the day-to-day oversight and liaison with the General Manager including, but not limited to approving leave, approving expenses incurred and managing complaints about the General Manager.

5. Linkages

5.1 Applicable Legislation

This policy is to be read in conjunction with the following:-

- Section 226 and 377 of the *Local Government Act 1993*

5.2 Related Policies and Procedures

Please refer to the following policies/procedures:

- 1.5.2 (v.11) Deputy Mayor Delegations
- 1.5.3 (v.10) General Mangers Delegations

6. Review

This Policy will be reviewed every two (2) years, or in conjunction with the Mayoral Election, or as required in the event of legislative changes. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

6.1 Policy Amendments

Version	Date Approved	Description of Changes
v11	25/09/2023	Reviewed, updated and entered into new template.

8.6 * DELEGATIONS TO THE DEPUTY MAYOR**

File Number: A3.8
Author: Leonie Brown, General Manager
Authoriser: Leonie Brown, General Manager
Attachments: 1. Draft Policy - Deputy Mayor Delegations

Background

Section 377 of the Local Government provides the opportunity for Council to be able to delegate some of its functions with the exception of those matters detailed within that section as functions that are only to be exercised by Council.

Under Section 231 of the *Local Government Act 1993*:

- (1) The Councillors may elect a person from among their number to be the Deputy Mayor.
- (2) The person may be elected for the Mayoral term or a shorter term.
- (3) The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.
- (4) The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this sections, or if no Deputy Mayor has been elected.

Current Situation

The Deputy Mayor's delegations are contained within the attached policy document.

Financial Implications

There is no significant impact.

Recommendation

1. That Policy No 1.5.2 (v11) being the Deputy Mayor Delegations be adopted.
2. That Council delegates to the Deputy Mayor, the delegations as detailed in attached Policy document numbered 1.5.2(v11).

SECTION No. Service Management
PART No. Delegations



Deputy Mayor Delegations

Policy No: 1.5.2 (v11)
Date Adopted:
DRAFT

Minute No: 2023/

Supersedes Deputy Mayor Delegations 1.5.2 (v10)
Adopted 10/12/2021
Resolution Number 2021/347

Proposed Review Date: September 2024

Responsible Officer: General Manager

Verified by General Manager..... Verified by Mayor.....

1. Intent

The objective of this policy is to: -

Give effect to the provisions of the *Local Government Act 1993*, and any other Act conferring powers or duties upon the Deputy Mayor and to any resolution or direction given to the Deputy Mayor by the Mayor.

2. Scope

In accordance with the provisions of Section 377 of the *Local Government Act 1993*, the Deputy Mayor is delegated the following powers and duties by Council on 25 September 2023, effective from that date.

3. Accountabilities

The Deputy Mayor is authorised to exercise any function, power, duty or authority of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise, from exercising the function, power, duty and authority or if there is a casual vacancy in the office of Mayor.

4. Linkages

4.1 Applicable Legislation

This policy is to be read in conjunction with the following:-

- Section 226 and 377 of the *Local Government Act 1993*

4.2 Related Policies and Procedures

Please refer to the following policies/procedures:

- 1.5.2 (v.11) Deputy Mayor Delegations
- 1.5.3 (v.10) General Mangers Delegations

5 Review

This Policy will be reviewed every two (2) years, or in conjunction with the Deputy Mayor Election, or as required in the event of legislative changes. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

5.1 Policy Amendments

Version	Date Approved	Description of Changes
v11	25/09/2023	Reviewed, updated and entered into new template.

9 STARRING OF ITEMS

10 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 28 August 2023



MINUTES

Ordinary Council Meeting

28 August 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, 28 AUGUST 2023 AT 9.15AM**

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

IN ATTENDANCE: Leonie Brown (General Manager), Peter Brown (Manager Works), Paul Flanagan (Manager Roads Services), Melanie Milgate (Economic Development Manager), Ang Pasang Rai (Manager Corporate Services), Dwayne Willoughby (Manager Environmental 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:

Albert James "Sonny" Bates	Bruce Darcy	Daniel Kavanagh	Rex McLeod
Kathleen Orcher	Linda Peachey	Robert "Curly" Rumble	Phyllis Smith
Lorna Vincent	Bryan Williamson		

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

A request for Leave of Absence was received from Cr Victor Bartley and Cr Sally Davis who were absent from the meeting due to personal reasons.

Resolution 2023/169

Moved: Cr Sarah Barton

Seconded: Cr Sam Rice

That the apologies received from Councillor Victor Bartley and Councillor Sally Davis 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 2023/170

Moved: Cr Sarah Barton

Seconded: Cr Robert Stutsel

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 Sarah Barton declared a pecuniary conflict of interest in Item 7.1 of the Agenda – Mayoral Minute – Mayoral Activities, in respect of the meeting of the Far North West Joint Organisation and its discussions regarding the Extension of Western Air Services. The reason for such interest is that Cr Barton is employed by the Department of Regional NSW who provide funding for the Air Services and who have recently engaged a consultant to undertake a review of the Western Air Services. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council separately consider this matter as part of Item 7.1 of the Agenda.

Cr Sarah Barton declared a significant non-pecuniary interest in Item 12.3 of the Agenda - Business Arising, 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 should Council consider this 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 Grace Ridge declared a significant non-pecuniary interest in Item 12.3 of the Agenda - Business Arising, 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, and be out of sight should Council consider this matter as part of Item 12.3 of the Agenda.

Cr Nathan Ryan declared a less than significant non-pecuniary conflict of interest in Item 12.3 of the Agenda – Business Arising, 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.

At this juncture, Cr Sarah Barton left the meeting, the time being 9.25 am.

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 2023/171

Moved: Cr Barry Hollman

That the information in the Mayoral Minute – Mayoral Activities Report as presented to Council on Monday, 28 August 2023 be noted.

Carried

At this juncture, Cr Sarah Barton returned to the meeting, the time being 9.27 am.

8 STARRING OF ITEMS

Council's Code of Meeting Practice provides that Council may at any time, resolve to adopt multiple items of business on the agenda by way of a single resolution.

In this regard the council had before it a list of reports, unstarred, with such items proposed to be adopted by Council in a single resolution.

Resolution 2023/172

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

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, 28 August 2023 be adopted.

Carried

9 CONFIRMATION OF MINUTES

Resolution 2023/173

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the minutes of the Ordinary Council Meeting held on 24 July 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 2023/174

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the information in the Calendar of Events Report as presented to Council on Monday, 28 August 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 2023/175

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the contents of the Information to Councillors Report as presented to Council on Monday, 28 August 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 2023/176

Moved: Cr Cec Dorrington

Seconded: Cr Sarah Barton

That the information in the Business Arising Report as presented to Council on Monday, 28 August 2023 be noted.

Carried

13 ENGINEERING SERVICES DEPARTMENT

13.1 ACTIVE TRANSPORT PLAN - SUBMISSIONS REPORT

File Number: R7.7.19

The Council had before it the report of the Manager Works regarding the Active Transport Plan - Submissions Report.

Resolution 2023/177

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

1. That the Active Transport Plan, marked Final and dated 21 August 2023, which has regard to the comments of Transport for NSW (TfNSW) be adopted.
2. That TfNSW be advised of Councils response to their submission and (TfNSW) be provided with a copy of the Final report.
3. That funding for the implementation of identified projects in the adopted Active Transport Plan be considered as part of the preparation of Councils 2024/2025 draft Operational Plan, or as grant or other funding opportunities become available.

Carried

14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

14.1 FOOD SURVEILLANCE ACTIVITY REPORT 2022 / 2023

File Number: H1.5

The Council had before it the report of the Manager Environmental Services regarding the Food Surveillance Activity Report 2022 / 2023.

Resolution 2023/178

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the Food Surveillance Activity Report for 2022/2023 as presented to Council on Monday, 28 August 2023 be received and noted.

Carried

15 GENERAL MANAGER

15.1 DELIVERY PROGRAM REPORT 1 JULY 2022 TO 30 JUNE 2023

File Number: P4.2

The Council had before it the report of the General Manager regarding the Delivery Program Report 1 July 2022 to 30 June 2023.

Resolution 2023/179

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That Council notes the activity progress against the actions contained in the 2022/2023 Delivery Program for the period ending 30 June 2023.

Carried

16 CORPORATE SERVICES DEPARTMENT

16.1 * BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - JULY 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 - July 2023.

Resolution 2023/180

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 31 July 2023 be noted.

Carried

16.2 *** INVESTMENT REPORT AS AT 31 JULY 2023

File Number: F1.1

The Council had before it the report of the Manager Corporate Services regarding the Investment Report as at 31 July 2023.

Resolution 2023/181

Moved: Cr Cec Dorrington

Seconded: Cr Sam Rice

1. That the report regarding Council's Investment Portfolio 31 July 2023 be received and noted.
2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.

Carried

16.3 *** RATES WRITE OFF ASSESSMENT 01886, 01737 AND 01760

File Number: R2.5

The Council had before it the report of the Revenue Officer regarding the Rates Write Off Assessment 01886, 01737 and 01760.

Resolution 2023/182

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

1. That as a result of the sale of Rates Assessment Nos. 01886, 01737 and 01760 for the purposes of a National Park, Council deem the property non-rateable and in doing so write off rates levied for 2023/2024 in the amount of \$10,625.62.
2. That in the event that non-rateable National Parks are not part of the "disadvantage component" in respect of calculations by the NSW Grants Commission in allocating Financial Assistance Grants to councils, Council make the necessary representations to Government with a view to addressing such anomaly which, as a result of the sale of significant parcels of farm land in the Bourke Shire to Government for the purpose of National Parks, is impacting Councils rate income.

Carried

17 ECONOMIC DEVELOPMENT DEPARTMENT

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE

Nil

21 ACTIVITY REPORTS

**21.1 ENGINEERING SERVICES - ROAD WORKS AND WORKSHOP - WORKS UNDERTAKEN
ACTIVITY REPORT**

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 2023/183

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That Council note the information in the Engineering Services Road Works and Workshop – Works Undertaken Activity Report as presented to Council on Monday, 28 August 2023.

Carried

**21.2 PARKS AND GARDENS / TOWN SERVICES / WATER AND WASTE WATER ENGINEERING
SERVICES ACTIVITY REPORT**

File Number: E7.1

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

Resolution 2023/184

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That Council note the information in the Parks and Gardens, Town Services, Water and Wastewater Engineering Services Department Activity Reports as presented to Council on Monday, 28 August 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 2023/185

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the information in the Planning, Regulatory and Environmental Services Activity Report as presented to Council on Monday, 28 August 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 2023/186

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the information in the General Manager's Activity Report as presented to Council on Monday, 28 August 2023 be noted.

Carried

21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR JULY 2023

File Number: L4.1

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

Resolution 2023/187

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the information in the Library Manager's Report for July 2023 as presented to Council on Monday, 28 August 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 2023/188

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the information in the Tourism and Events Report for July 2023 as presented to Council on Monday, 28 August 2023 be noted.

Carried

22 CLOSED SESSION

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

Resolution 2023/189

Moved: Cr Robert Stutsel

Seconded: Cr Lachlan Ford

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 * Outstanding Rates and Charges**

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

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 9.45 am.

22.1 * OUTSTANDING RATES AND CHARGES**

File Number: P2.5-R2.15-R2.22-P9.3

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

Resolution 2023/190

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

- 1. That Council notes the report on Outstanding Rates and Charges, Water Billing and Sundry Debtors owed to Council as at 30 June 2023.**
- 2. That the documents and considerations remain confidential to Council.**

Carried

Resolution 2023/191

Moved: Cr Sam Rice

Seconded: Cr Lachlan Ford

That Council moves out of Closed Council into Open Council.

Carried

Open council resumed at 9.54am.

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 9.55am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 September 2023.

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CHAIRPERSON

11 RESCISSION MOTIONS

Nil

12 NOTICES OF MOTION

Nil

13 BUSINESS ARISING

13.1 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
2023				
September	25	9.15am	Council Meeting	Council Chamber
September	26-28		Murray Darling Association Conference	Murray Bridge, SA
October (*)	23	9.15am	Council Meeting	Council Chamber
November	12-14		LGNSW Annual Conference	Rosehill Gardens Racecourse, Sydney
November (*)	27	9.15am	Council Meeting	Council Chamber
December (*)	18	9.15am	Council Meeting	Council Chamber

(*) Indicative date only. Council meeting dates post September 2023 will be determined by Council as part of the September 2023 Agenda relating to the election of the Mayor and Deputy Mayor.

Recommendation

That the information in the Calendar of Events Report as presented to Council on Monday, 25 September 2023 be noted.

13.2 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

Information that has been provided to Councillors for the period 21 August 2023 to 18 September follows:

Date	Information Sent	Author	Email
21/08/2023	Coulton's Catch Up - Monday 21 August	Mark Coulton, MP	✓
22/08/2023	Correspondence from the Bureau of Meteorology	Bureau of Meteorology	✓
22/08/2023	Council Meeting 28 August 2023, Citizenship and Group Photograph for the Annual Report	Margo Anderson	✓
23/08/2023	The Weekly Newsletter, 22 August 2023	Local Government NSW	✓
23/08/2023	GM's Column for publication – 24 August 2023	Leonie Brown	✓
23/08/2023	Business Papers for the August Ordinary and Closed Session Council Meeting , Monday 28 August 2023	Leonie Brown	✓
24/08/2023	Basin Bulletin Issue 61	Murray Darling Association	✓
25/08/2023	Upcoming workshop Code of Meeting Practice for Councillors	Local Government NSW	✓
28/08/2023	Reissue: Upcoming workshop Code of Meeting Practice for Councillors	Margo Anderson	✓
29/08/2023	Minutes of the August 2023 Council Meeting	Leonie Brown	✓
30/08/2023	GMs Column for publication - 31 August 2023	Leonie Brown	✓
04/09/2023	The Weekly Newsletter, 29 August 2023	Local Government NSW	✓
05/09/2023	Various items of interest to Local Government	Council Magazine	✓
05/09/2023	The Weekly Newsletter, 05 September 2023	Local Government NSW	✓
06/09/2023	GMs Column for publication - 7 September 2023	Leonie Brown	✓
11/09/2023	Real cost of water buybacks revealed	NSW Farmers Association	✓
12/09/2023	Election of Mayor and Deputy Mayor	Strathfield Council	✓
13/09/2023	GMs Column for publication - 14 September 2023	Leonie Brown	✓
13/09/2023	The Weekly Newsletter, 12 September 2023	Local Government NSW	✓
13/09/2023	Murray Darling Basin Update	Leonie Brown	✓
14/09/2023	Managers Leave	Leonie Brown	✓
14/09/2023	New Deputy Mayor - Cr Leah Anderson	Port Stephens Council	✓

14/09/2023	Council Circular 23-11	Office of Local Government	✓
14/09/2023	Various items of interest to Local Government	Inside Local Government	✓
14/09/2023	Election of Mayor and Deputy Mayor	Kyogle Council	✓
18/09/2023	Fight for Success Flyer	Maranguka	✓
18/09/2023	Public Notice – Aerial Baiting Program	Local Land Services	✓

Recommendation

That the contents of the Information to Councillors Report as presented to Council on Monday, 25 September 2023 be noted.

13.3 * 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

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

RESOLUTION

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.

ACTION TAKEN

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.
5. Matter further discussed at the Alliance of Western Council Meeting held on 09/12/2022.
6. Impact of Biodiversity Act, and specifically the issue of the North Bourke Industrial lots, raised on Sydney Radio (2GB Ray Hadley 14/03/2023) by Chair of Western Alliance, Cr Craig Davies.
7. GM and MES attended Biodiversity teleconference organised by LGNSW held on 4 April 2023 . Submission from Council will be forthcoming during the follow up process.
8. The need for a review of the NSW Biodiversity Conservation Act 2016 was raised with Clr Darriea Turley, President LGNSW and Scott Phillips, Chief Executive Officer during discussions with them at Bourke on 10/05/2023.
9. Review of the Act is underway with the Hon Paul Scully MP, NSW Minister for Planning and Public Spaces considering options to assist with development blockages. Advice received from Roy Butler MP, Member for Barwon on 17 July 2023.
10. Western Division Councils of NSW moved a motion to write to the Minister for the Environment,

the Minister for Planning and Public Spaces, and the Minister for Regional and Western NSW requesting the *Biodiversity Conservation Act 2016* be amended in such a manner as to allow the recommencement of development of housing and industry in Regional NSW.

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
RESOLUTION	
That the General Manager prepare a detailed report in relation to the matter, including the seeking of legal advice if necessary.	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. In progress. 2. Teleconference held 20/08/2020. 3. Correspondence sent to PCYC 25/8/20 and followed up for response 20/10/20 & 16/11/2020. 4. Matter further discussed with Crown Lands staff on 09/03/2021 for their contact with PCYC. 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. 6. PCYC have advised that as a result of internal management changes they wish to defer discussions on land management till mid-2022. 7. No further approaches made by PCYC re land management matter. 	

274/2019	DROUGHT – WATER UPDATE
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	W2.2.9 – W2.2.9.1
RESOLUTION	
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	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. Letter sent & meeting held. 2. State Government commits to preparation of Western Weirs Strategy. 3. Teleconference involving staff and Councillors held with State Water on 22/9/2020 re Strategy. 4. Meeting held with DPIE representatives on 10/11/2020 & 11/11/2020. 5. Further briefings on Strategy held 10/02/2021 and 24/05/2021. 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 Bentley 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 Councils Meeting at Narromine on 19/08/2022.
 17. Ingrid Emery, Executive Director Project Interfaces and Program Management Water Infrastructure to provide update to Councillors on 22 August 2022 – No State or Federal Funding for Final Business Case Study.
 18. Refer Council Resolution Clause 2022/176 herewith for further update.
 19. Meeting held in February 2023 with Minister Anderson - see item 2022/176.
 20. Letter sent to the Hon Rose Jackson, Minister for Water, Housing and Homelessness, following March 2023 State election, advising of the issues and seeking support.
 21. Councillors and staff met with members of the Board of the Murray Darling Authority, the Commonwealth Environmental Water Holder, the Commonwealth Environmental Water Office and the Department of Climate Change, Environment, Energy and Water – Water Division, in Bourke on 03/05/2023 and discussed water issues.
 22. Mayor discussed issues with the Hon Rose Jackson, NSW Minister for Water, Housing, Homelessness, Mental Health, Youth and North Coast on Wednesday, 5 July 2023. Minister Jackson advised the Mayor she would come to Bourke in August 2023 to see the issues for herself. The Mayor and GM met with Roy Butler MP, Member for Barwon on Monday, 17 July 2023 regarding water security for Bourke. On Tuesday, 18 July 2023 the GM spoke to Steph Cooke MP, NSW Shadow Minister for Water and Crown Lands who advised of a planned visit to Bourke in August 2023 to hear the concerns of the community.
 23. General Manager made contact with Minister Jackson’s office 29 August 2023; no response received to date.

2020/111 March Meeting	DUAL NAMING OF THE DARLING RIVER – DARLING RIVER BAAKA
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	R6.5
RESOLUTION	
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.	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. Ongoing. Geographical Names Board GNB contacted. 2. Investigations are continuing by GNB. 3. GNB advised in July 2021 that it would be undertaking consultation in August 2021 in regard to 	

- dual name proposal.
4. GNB subsequently advised in August that due to COVID the consultations will now be undertaken in 2022.
 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.
 6. Meeting scheduled for 19 July 2022 postponed – new date yet to be confirmed.
 7. New meeting date proposed for 11 October 2022.
 8. Representatives of NSW GNB attended Council on 11 October 2022 and met with available Councillors and relevant staff re naming matter.
 9. No further advice received from GNB, to date.

2020/325 and 2020/326 September Meeting	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
RESOLUTION	
<ol style="list-style-type: none"> 1. That Council notes the report on the responsibility and current condition of the access road to the summit of Mount Oxley. 2. That Council notes the status of telecommunication infrastructure located atop Mount Oxley. 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. 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. 	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. Extensive title searches have been completed. 2. Liability issues being pursued by Booth Brown Legal for further report. 3. Meeting held with Mr & Mrs Stalley on 10 December 2020. 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. 5. Discussions held with NSW Telco Authority re potential for funding to assist with road upgrade. Costs advised. No funding available. 6. Further discussions to be held with owners of Mt Oxley site. 	

2020/236 July Meeting	BOURKE AIRPORT DEVELOPMENT PROPOSAL
RESPONSIBLE OFFICER	PETER BROWN – MANAGER WORKS
FILE NO	A6.1
RESOLUTION	
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.	
ACTION TAKEN	
Brief prepared, quotations to be invited, when funding available.	

2019/439 and 2021/33 December Meeting	NORTH BOURKE BRIDGE REHABILITATION CONCEPT PLAN
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	B6.1
RESOLUTION	
<ol style="list-style-type: none"> 1. Council continues to apply for funding to undertake the project. 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. 	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. Ongoing. 2. Letter received from Minister Toole 11/11/2020 advising upcoming funding opportunities for bridge. 3. Funds as resolved reserved in Councils accounts. 4. Application under Building Better Regions Fund lodged 11/02/2021. Application unsuccessful. 5. Strategy prepared for investigation, assessment and restoration of bridge for input into Tourism Grant Application. 6. Application lodged in August 2021. No response to date. 7. Representations made to Member for Barwon, Roy Butler MP regarding funding for Bridge. 8. Further application under Building Better Regions Fund lodged February 2022. 9. Council resolved 25 February 2022 to allocate funding of \$200,000 to engage a structural engineer to prepare documentation to allow Council to invite tenders for restoration of the bridge. 10. Draft brief prepared and with Public Works Advisory (PWA) for review. 11. Quote obtained from PWA with further discussions to be held. 12. Further Grant funding application for design funding lodged with NSW Government in July 2022. 13. Councils Grant Funding application was successful. Deed executed. 14. Brief with PWA finalised and awaiting final quotation. 15. Meeting with PWA and Bridge Engineer held on site 5 April 2023 to progress brief development and consider restoration options. Report from Bridge Engineer to be provided. 16. Advice received from PWA that Consultancy Proposal from Bridge Engineer to be provided by 31/05/2023. Bridge Engineer has been overseas. 17. Still awaiting Consultancy Proposal. 18. Consultancy Proposal received and agreed to. Investigatory works underway, with initial meeting with Council officers to be held late August 2023. 19. Meeting conducted with PWA, Bridge Engineer and subsequent to these discussions with Councils Heritage Advisor. Report prepared for consideration by Council at the September 2023 Council meeting. 	

2021/355 December Meeting	ROAD CLASSIFICATION REVIEW
RESPONSIBLE OFFICER	PAUL FLANAGAN – ROADS MANAGER
FILE NO	R7.1, R7.4.3
RESOLUTION	
<ol style="list-style-type: none"> 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.
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).
 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:
 - RLR 5 – Caronga Peak to Wilga Downs (23km / no bridge);
 - RLR50 - Moleyah Road – Wanaaring to Hungerford (86.82km / no bridge);
 - RLR44 – Janina Road – Louth to Wanaaring (85.7km / no bridge);
 - RLR49 – West Culgoa Road – Bourke to Weilmoringle (82.82km / single lane bridge).

ACTION TAKEN

1. Submission to Review Panel prepared and submitted.
2. Additional information and financial data requested for consideration 23 August 2022. Information provided.
3. No Further information to date.
4. Representation made through the Country Mayors Association to accelerate the Regional Roads Reclassification and Transfer Programs.

2022/96 and 2023/60 April and March Meetings	NORTH BOURKE STORMWATER DRAINAGE
RESPONSIBLE OFFICER	LEONIE BROWN - GENERAL MANAGER
FILE NO	D6.1, D6.2, V 1.6

RESOLUTION

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

ACTION TAKEN

1. Investigations into land proceeding.
2. Mayor and GM have briefed Mr Seiler.
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.
4. Further update meeting held in June 2022 with Mr Seiler involving Mayor, Deputy Mayor and Messrs Riley and Brown.
5. Monthly progress reports to be provided to Mr Seiler by Council.
6. Structural Engineer engaged by Insurers inspected property on 8 September 2022.
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.
8. Further information received and provided to the landowners to the north of Warrego Street with subsequent discussions held.

9. Structural Engineers Report received. Comprehensive report being developed for Workshop of Councillors in March 2023.
10. Workshop held 20 March 2023. Workshop report including recommendation included in March 2023 Business Paper.
11. Council in March 2023 (2023/60) resolved:
 - to undertake final negotiations with Mr Rob and Mrs Sally Davis in respect of the acquisition of some 2.21ha of their land fronting Warrego St, North Bourke for the purpose of constructing a stormwater detention basin thereon, for a final report to Council.
 - on the basis of Council resolving to formally acquire such land, the General Manager be requested to take the necessary action that would result in the construction of a stormwater detention basin and required infrastructure on such land, in general conformity with the concept plan developed by Premise dated 10 February 2023 designed to accommodate a 1:100 year rainfall event for this area.
 - noted the opinion as expressed in the Expert Report prepared by Engineering Investigations and Solutions in regard to the residence of Mr G and Mrs C Seiler.
 - not pursue the purchase of the Seiler property located in Namoi St, North Bourke.
12. Meeting with Mr and Mrs Davis requested and pursued. Council’s Solicitor, Insurer and Mr G Seiler advised of Councils resolution accordingly.
13. Meeting with Mr and Mrs Davis, as per March 2023 resolution, held on 26 July 2023. Further technical advice to be sourced by Council prior to further discussions being held.

2022/115 May Meeting	RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR COUNCILS
RESPONSIBLE OFFICER	ANG PASANG RAI - MANAGER CORPORATE SERVICES
FILE NO	R5.1

RESOLUTION

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.
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.
3. That Council appoint a Councillor to serve as the non-voting board member on the ARIC for this Council only.
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.
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.
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.

ACTION TAKEN
<ol style="list-style-type: none"> 1. General Manager advised FNWJO of Council’s resolution. 2. Manager Corporate Services take the necessary action to implement Council’s resolution. 3. Expression of Interest received from another Council regarding joining the FNWJO. 4. FNWJO meeting held on 1 August 2022. 5. Expression of Interest for persons to serve as the Chair on one of the two (2) independent Committee members have been invited and subsequently closed. As at 23/03/2023 the submissions received are under review for report to the FNWJO in April 2023. 6. Report considered by FNWJO Board at its meeting of 31 March. Interviews of short listed applicants to proceed. 7. Committee formalised at the June 2023 meeting of the FNWJO. 8. Initial meeting of the Audit and Risk Management Committee held on 6 September 2023. 9. Next meeting will be held in Bourke 16 November 2023.

2022/161 and 2023/42 July and March Meetings	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

RESOLUTION
<ol style="list-style-type: none"> 1. That the legislative information in respect of the potential usage of the North Bourke Boat Ramp Crown Reserve for the purposes of caravanning and camping be noted. 2. That Council not pursue the development of a primitive campground to allow camping at the North Bourke Boat Ramp Crown Reserve and having regard to this position, camping in this reserve not be permissible and appropriate signage be maintained. 3. That Council enter into discussions with TfNSW with a view to the sealed section of road reserve leading to the old North Bourke Bridge being designated for use by light and recreational travellers as a Rest Area, for a trial period ending 12 months after the opening of such road reserve as a rest area, should it be approved. 4. At the end of this period it would be proposed that a report on the trial be provided to Council to review usage and issues, including any impact on accommodation providers in Bourke. 5. That Council investigate further opportunities to promote Bourke as an RV friendly town.

ACTION TAKEN
<ol style="list-style-type: none"> 1. Contact made with Transport for NSW (TfNSW). 2. Awaiting response from TfNSW. 3. Further follow up with TfNSW. Cobar Shire have advised they are having similar issues. 4. Further contact made with Transport for NSW. 5. Follow up report included in March 2023 Business Paper. 6. At the March 2023 Ordinary Meeting of Council the following resolution (2023/42) was carried. <ul style="list-style-type: none"> • That the information in respect of the potential usage of the Polygonum Swamp Road be noted. • That Council not pursue the development of a Rest Area to allow camping on the side of the Polygonum Swamp Road. • That the No Camping and No Caravans signs be maintained to encourage Caravan and Camping users to move on to a more suitable location, where there is no risk to pedestrians, road users and themselves. 7. Meeting held with representatives from Crown Lands Monday, 26 June 2023. Identified land at

North Bourke behind Darling Street that might be a Public Recreation Reserve. Free camping may be allowable with infrastructure upgrades - to be determined with a further report to be presented to Council when all details are available.

8. Funding application submitted for LRCI funding to provide infrastructure once a suitable site is agreed upon.

2022/176 August Meeting	MAYORAL MINUTE – WESTERN WEIRS STRATEGY
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	W3.1
RESOLUTION	
<ol style="list-style-type: none"> 1. That the status upgrade in respect of the Western Weirs Strategy as presented to Council by Ms Ingrid Emery, Water Infrastructure NSW on Monday, 22 August 2022 be noted. 2. That Council write to the Hon. Tanya Plibersek, MP, Federal Minister for the Environment and Water, and the Hon. Kevin Anderson, MP, State Minister for Land and Water seeking support and funding to progress the next stage of the Western Weir Strategy being the Final Business Case for the proposed upgrading of the Bourke Weir to improve town water supply security. 	
ACTION TAKEN	
<ol style="list-style-type: none"> 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. 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.” 3. Response dated 5 October 2022 received from Minister Anderson. The Minister advised that: <ul style="list-style-type: none"> • 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 arrangements for a final Business Case. • 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.” 4. Response dated 12 December 2022 received from Minister Plibersek advised that: <ul style="list-style-type: none"> • The NSW Government is responsible for water management in our region and is developing regional water strategies across the State. • The Western Weirs Strategy sits alongside these strategies. • The Australian Government’s role as a significant investor in water infrastructure through the National Water Grid Authority, State and Territory Governments are responsible for water planning and water infrastructure delivery. Applications for National Water Grid funding must have support of the State Government. 5. State Minister for Land and Water, the Hon Kevin Anderson attended Bourke on 6 February 2023 and met with the Mayor and Acting GM. The Minister advised the Western Weirs Strategy will be abandoned as it is not well supported. However, the issue of water security will be included in the Better Baaka Program. The State and Federal Ministers are to meet for discussion in late February. The proposal aims to meet the Federal objectives but will require more time to adopt measures to ensure water consumption is not restricted at the same time. There are implications for a need for increased water storage capacity if weirs are not upgraded. 	

6. Correspondence sent to the Hon Tanya Plibersek, MP and the NSW Minister for Lands and Water, the Hon Kevin Anderson, MP in March 2023 seeking the status of weir proposals. In response, the acting CEO of the NSW Water Sector responded that “the strategic business case for the Western Weirs program was completed in November 2021” and further that “the NSW Government continues to work with the Australian Government on suitable funding arrangements to progress to a final business case.” The Federal Government responded in April 2023 advising that “for the raising of the Bourke Weir to be eligible for National Water Grid funding consideration, a proposal must be submitted to the National Water Grid Authority by the NSW Government. You may wish to continue your engagement with the NSW Government so that a proposal may be brought forward, should it be prioritised by the NSW Government.
7. In response, a further letter was sent to acting CEO of the NSW Water Sector, April 2023, requesting confirmation that funding to progress to a final business case is an eligible project under the investment principles of the National Water Grid Fund and if so, what is the specific time frame for the NSW Government to submit an application that covers funding for a final business case to raise the height of the Bourke Weir.
8. Letter sent to the Hon Rose Jackson, Minister for Water, Housing and Homelessness, following March 2023 State election, advising of the issues and seeking support.
9. Meeting of the Mayor and GM with Minister Jackson being pursued.
10. Mayor discussed issues with the Hon Rose Jackson, NSW Minister for Water, Housing, Homelessness, Mental Health, Youth and North Coast on Wednesday, 5 July 2023. Minister Jackson advised the Mayor she would come to Bourke in August 2023 to see the issues for herself. The Mayor and GM met with Roy Butler MP, Member for Barwon on Monday, 17 July 2023 regarding water security for Bourke, including the issue of the weir. On Tuesday, 18 July 2023 the GM spoke to Steph Cooke MP, NSW Shadow Minister for Water and Crown Lands who advised of a planned visit to Bourke in August 2023 to hear the concerns of the community.
11. Details provided to the Mayor of Narromine, Craig Davies as Chair of the Alliance of Western Councils Board who will present to 200 water professionals regarding water issues in the area.

2022/235 October Meeting	DRAFT FAR WEST REGIONAL PLAN 2041
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY – MANAGER ENVIRONMENTAL SERVICES
FILE NO	T1.5
RESOLUTION	
That Council note the information contained within the Draft Far West Regional Plan 2041 Report.	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. 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. 2. Continue to pursue amendments to the plan in respect of identified gaps. 3. Council’s submission lodged, awaiting response. 	

2022/238 October Meeting	GEOGRAPHICAL NAMES BOARD – THE POUND YARD
RESPONSIBLE OFFICER	LEONIE BROWN - GENERAL MANAGER
FILE NO	A2.1, A2.2.16, H3.3
RESOLUTION	
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.	
ACTION TAKEN	
<ol style="list-style-type: none"> 1. NSW Geographical Names Board advised of Council’s Resolution. 2. Aboriginal people who have been identified as residents of the Pound Yard have been suggested as the appropriate people to be consulted by the GNB. 3. Work in progress. 4. List of names received, contact details yet to be received. 	

2023/73 April Meeting	BOURKE FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN
RESPONSIBLE OFFICER	PETER BROWN – MANAGER WORKS
FILE NO	W2.1
RESOLUTION	
<ol style="list-style-type: none"> 1. That the Bourke Floodplain Risk Management Study and Plan (Volumes 1 and 2) dated December 2022, be adopted. 2. That the General Manager be requested to take the necessary action in respect of implementing Measures 1-4 as identified in the Plan, being the measures “that could be implemented by Council with the assistance, where required, of the NSW SES”. 3. That in implementing Measures 1-2, being proposed revised planning controls, a further report on such measures be forthcoming to Council. 4. That the General Manager be requested to take the necessary action in respect of implementing Measures 5-10, as identified in the Plan, being the measures “that require the sourcing of Government funding” to progress such measures. 	
ACTION TAKEN	
Representation made to the Department of Planning and Environment (DPE).	

2023/94 May Meeting	RECOMMENCEMENT OF THE FLUORIDATION OF THE BOURKE WATER SUPPLY
RESPONSIBLE OFFICER	PETER BROWN - MANAGER WORKS
FILE NO	W2.1
RESOLUTION	
<ol style="list-style-type: none"> 1. That pending the receipt of approval under Section 60 of the Local Government Act 1993, and approval from NSW Health, Council proceed to again include fluoride in the Bourke public water supply system. 2. That the Bourke community be advised by way of advertisement in the Western Herald and on Councils Facebook site, when the fluoride dosing of the Bourke public water supply system 	

actually recommences following the receipt of the required approvals.
ACTION TAKEN
1. PWA being pursued re completion of required outstanding works and also DPE / Health for required approvals. Once approvals are forthcoming, advertising / Facebook advice to community of the restarting of fluoridation will be undertake.
2. Manager Works has contacted NSW Health, matter is progressing.

2023/122 June Meeting	PECUNIARY INTEREST RETURNS
RESPONSIBLE OFFICER	MARGO ANDERSON – EXECUTIVE ASSISTANT
FILE NO	S6.29

RESOLUTION
That Council notes the information received in relation to Pecuniary Interest Returns as presented to Council on Monday, 26 June 2023.

ACTION TAKEN
Returns paperwork distributed to Councillors and designated staff for completion and return to EA by 30 September 2023. Further report to be submitted to Council’s October 2023 meeting.

2023/150 July Meeting	PROPOSED PROJECTS UNDER PHASE 4 OF THE LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (LR&CIP)
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	19895

RESOLUTION
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.

ACTION TAKEN

Applications for projects submitted to the Australian Government for the LRCI funding. Awaiting approval of projects.

2023/167 July meeting	PROPOSED SALE OF LAND TO BOURKE ABORIGINAL CORPORATION HEALTH SERVICE
RESPONSIBLE OFFICER	LEONIE BROWN – GENERAL MANAGER
FILE NO	A11.1, H1.1, H1.15

RESOLUTION

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.

ACTION TAKEN

1. Letter forwarded to BACHS re Council resolution. Formal acceptance of offer from BACHS.
2. Contract documentation prepared and submitted to Solicitor for BACHS. Awaiting exchange of contracts.
3. Meeting held with BACHS representatives re preparation of development application.

2023/177 August meeting	ACTIVE TRANSPORT PLAN – SUBMISSIONS REPORT
RESPONSIBLE OFFICER	PETER BROWN – MANAGER WORKS
FILE NO	R7.7.19
RESOLUTION	
<ol style="list-style-type: none"> 1. That the Active Transport Plan, marked Final and dated 21 August 2023, which has regard to the comments of Transport for NSW (TfNSW) be adopted. 2. That TfNSW be advised of Councils response to their submission and (TfNSW) be provided with a copy of the Final report. 3. That funding for the implementation of identified projects in the adopted Active Transport Plan be considered as part of the preparation of Councils 2024/2025 draft Operational Plan, or as grant or other funding opportunities become available. 	
ACTION TAKEN	
TfNSW advised as per resolution. Consideration to be given to available funding in due course as part of preparation of 2024/2025 Operational Plan.	

2023/182 August meeting	RATES WRITE OFF ASSESSMENT 01886, 01737 and 01760
RESPONSIBLE OFFICER	AND PASANG RAI – MANAGER CORPORATE SERVICES
FILE NO	R2.5
RESOLUTION	
<ol style="list-style-type: none"> 1. That as a result of the sale of Rates Assessment Nos. 01886, 01737 and 01760 for the purposes of a National Park, Council deem the property non-rateable and in doing so write off rates levied for 2023/2024 in the amount of \$10,625.62. 2. That in the event that non-rateable National Parks are not part of the “disadvantage component” in respect of calculations by the NSW Grants Commission in allocating Financial Assistance Grants to councils, Council make the necessary representations to Government with a view to addressing such anomaly which, as a result of the sale of significant parcels of farm land in the Bourke Shire to Government for the purpose of National Parks, is impacting Councils rate income. 	
ACTION TAKEN	
GM has confirmed with the NSW Grants Commission that National Parks are part of the “disadvantage component” in respect of calculations by the NSW Grants Commission in allocating Financial Assistance Grants to councils. Accordingly, representations to Government are not required.	

Recommendation

That the information in the Business Arising Report as presented to Council on Monday, 25 September 2023 be noted.

14 ENGINEERING SERVICES DEPARTMENT

14.1 *** RETENTION OF GARBAGE TRUCK

File Number: T3.1, T3.2
Author: Paul Flanagan, Manager Roads
Authoriser: Leonie Brown, General Manager
Attachments: Nil

Background

Council at its meeting held on 26 July 2021 gave consideration to tenders for the supply of one (1) Side Loading Garbage Compactor with Cab Chassis.

In respect of this matter, Council resolved:

1. *That the tender submitted by Tracserv Trucks, Dubbo for the purchase of an Isuzu FVD 165-300 Auto, 4 x 2 Factory Dual Control truck with a Bucher Munipule body at a price \$340,561.44 (ex GST) be accepted.*
2. *That the General Manager be authorised to take the necessary action to sell the existing Hino McDonald Johnson Garbage Compactor, being Plant No 218, following the delivery of the new garbage compactor vehicle to Bourke.*
3. *That the documents and considerations in respect of this matter remain confidential to Council.*

Current Situation

It is advised that the new Isuzu Dual Control Garbage Compactor Truck has previously been delivered to Council and is in service. At this point however, action to sell the Hino McDonald Johnson Garbage Compactor, as per Councils previous resolution, has not taken place with the former machine being since utilised on occasions when the new machine has been unavailable.

During July 2023, for instance, it was necessary for the new Garbage Truck to be away for repairs. Such repairs were initially to take but a few days, however they ended up being a few weeks, due to issues relating to the sourcing of required parts. Fortunately, for both Council and the Community, Council was in the position to be able to utilise the old truck to undertake the various garbage runs during the repair period. In the past during similar occurrences, where a 2nd Council owned vehicle hasn't been available, staff have scrambled to secure an alternative truck, with the cost of hire being high.

Stemming from this July 2023 issue, Councils Manager of Environmental Services and the Workshop Supervisor undertook discussions regarding the potential retention of the old truck for its use as a backup truck.

Given that garbage trucks are notoriously high maintenance vehicles, often prone to break downs in respect of the bin lifter and compactor, both officers were of the view that retention of the old vehicle would be an appropriate strategy to pursue.

Retention of the old truck will allow Council to not only use it on its own runs during breakdown of the main truck, but also allow it to be dry hired to other neighbouring Councils when they have breakdowns of their equipment. For instance, Cobar Council recently could not have a garbage run as their truck was down for a couple of days. Another point of potential use in coming years is the potential mandating by Government of a Food and Organics collection (FOGO) service across urban communities. This service would have to be collected separately to the normal collection so there may be an opportunity for the old truck to be also used for that service, if it eventuates.

At the time of inviting tenders for the replacement of the existing truck, as considered by Council at its July 2021 meeting, it is noted that three (3) suppliers submitted tenders. Only one tenderer offered a trade in price for the former garbage truck. This trade in price was \$30,000 (GST inc).

With Council required to undertake a significant amount of maintenance on the old truck prior to the new one arriving, the old truck is now in quite good condition. This work coupled with the garbage truck having such a low residual value, leads me to consider that there are more benefits in retaining the truck as opposed to selling it.

Having regard to Councils previous resolution, given this change of direction, it is appropriate that the matter be the subject of consideration and determination by Council.

Financial Implications

There are sufficient funds in Councils Plant Budget to retain this piece of equipment.

Recommendation

- 1. That plant number 218, being a Hino McDonald Johnson Garbage Compactor, be retained by Council as a backup vehicle for Councils garbage collection operations or utilised for hire to other entities for garbage collection services.**
- 2. That the General Manager be authorised to take the necessary action in selling this piece of plant in the future, as appropriate.**

15 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

Nil

16 GENERAL MANAGER

16.1 *** COUNCILLOR NUMBERS

File Number: C11.1
Author: Leonie Brown, General Manager
Authoriser: Leonie Brown, General Manager
Attachments: Nil

Background

Section 224 of the NSW Local Government Act, under the heading, “How many councillors does a council have?” provides as follows:

- (1) A council must have at least 5 and not more than 15 councillors (one of whom is the Mayor).
- (2) Not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office.
- (3) If the council proposes to change the number of councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

Current Situation

In respect of Part (2) of Section 224, it is required that Council proceed to determine the number of its councillors “for the following term of office” (ie for the term of office commencing as a result of the September 2028 general Council elections, on the basis of the required constitutional referendum taking place at the September 2024 elections.)

Bourke Shire Council has been successfully served by ten (10) councillors (one of whom is the Mayor) for many years. Determination of the number of councillors is a Council decision, however, to assist in deliberations, it would be my view that the status quo be maintained.

Financial Implications

There are no direct financial implications arising from this report. There would be financial implications if Council was to pursue a change of councillor numbers in terms of costs to undertake a constitutional referendum, as required as per Section 224(3) of the Act.

Recommendation

That as per Section 224 (2) of the Local Government Act, Council in determining its number of Councillors, maintain the status quo and retain its councillor numbers at 10 (one of whom is the Mayor).

17 CORPORATE SERVICES DEPARTMENT

17.1 * BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - AUGUST 2023**

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 August 2023

Balances as per Bank Statement	\$3,165,037.97
Plus: Deposit not shown	\$8,859.32
Less: Unpresented Cheques	\$5,047.34
Balance as per Cash Book	\$3,168,849.95

Reconciled Ledger Accounts as at 31 August 2023

Fund or Account	Current Balance	Overdraft Statutory Limit
General	\$36,429,371.92	\$200,000.00
Water	\$4,276,042.14	
Sewer	\$2,622,338.90	
Trust	\$126,625.46	
	\$43,454,378.42	

Reconciliation as at 31 August 2023

Balance as per cash book	\$3,168,849.95
Investments	\$40,285,528.47
Total, equalling Reconciled Ledger	\$43,454,378.42

** In accordance with Council policy and legislative obligations, a complete breakdown of investments will be provided in the investment report for the month.*

Statement of Bank Balances as at 31 August 2023

	Balance	Transaction	Balance
	31 July 2023		31 August 2023
General Fund	\$36,552,231.24	-\$122,859.32	\$36,429,371.92
Water Fund	\$3,089,943.01	\$1,186,099.13	\$4,276,042.14
Sewer Fund	\$2,527,580.87	\$94,758.03	\$2,622,338.90
Trust Fund	\$117,377.36	\$9,248.10	\$126,625.46
Investments	-\$40,361,317.61	\$75,789.14	-\$40,285,528.47
Totals	\$1,925,814.87	\$1,243,035.08	\$3,168,849.95

Balance of all Funds as at 31 August 2023

Balance as at 31 July 2023	\$1,925,814.87
Add Receipts for	
(a) Rates	\$1,017,274.59
(b) Other Cash	\$478,916.65
Deduct payments for	
(a) Payments	-\$425,354.43
(b) New Investment	\$678,510.59
Balance as at 31 August 2023	\$3,168,849.95

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 August 2023 be noted.

17.2 * INVESTMENT REPORT AS AT 31 AUGUST 2023**

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 2021

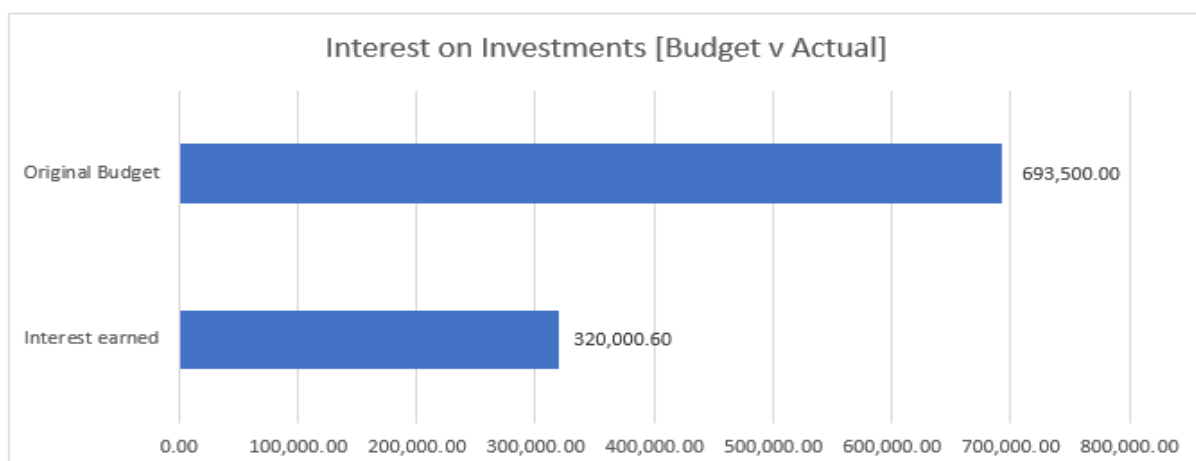
The management, of Council’s investments is delegated by the General Manager to the Manager Corporate Services.

Financial Implications/Consideration

The 2023/2024 Budget estimated the total investment revenue as \$693,500. 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 of 31 Aug 2023 was \$ 40,285,528.47.

Investment income earned as of 31 August 2023 was \$320,000.60



It is anticipated that interest earned on investments will surpass the original budget due to a considerable increase in interest rates by the Reserve Bank of Australia and grants paid upfront, which were unanticipated at the time the budget was prepared. The variation will be closely monitored and reported accordingly during the Council's quarterly budget review.

Policy Provisions – Council Policy and Procedure

Policy 1.8.10(v7) – Investment Policy adopted 19 December 2022.

Ministerial Investment Order – 12 January 2011

Strategic Implications – Implications for Long Term Plans/Targets

Funds are invested in accordance with identified cash flow requirements.

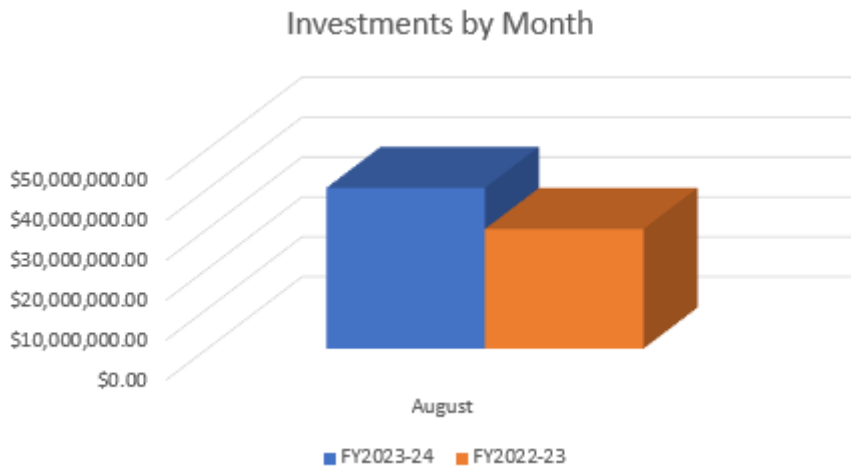
Investment Portfolio as at 31 August 2023

Institution	Invst#	Maturity Date	Amount	Rate	Days	S&P Rating
National Australia Bank	6	21/09/2023	1,106,825.39	4.30%	365	A-1+
Commonwealth Bank	10	3/11/2023	458,508.37	4.41%	361	A-1+
Commonwealth Bank	11	4/09/2023	1,162,900.41	4.35%	301	A-1+
National Australia Bank	34	4/09/2023	2,000,000.00	4.79%	90	A-1+
National Australia Bank	37	27/09/2023	3,000,000.00	5.08%	90	A-1+
National Australia Bank	38	27/09/2023	3,000,000.00	5.08%	90	A-1+
National Australia Bank	39	27/10/2023	3,000,000.00	5.20%	120	A-1+
National Australia Bank	40	27/10/2023	2,500,000.00	5.20%	120	A-1+
Commonwealth Bank	41	4/09/2023	2,000,000.00	4.55%	63	A-1+
Commonwealth Bank	42	4/09/2023	1,500,000.00	4.50%	61	A-1+
National Australia Bank	44	31/10/2023	2,000,000.00	5.07%	96	A-1+
National Australia Bank	45	30/10/2023	1,000,000.00	5.00%	90	A-1+
Commonwealth Bank	46	3/10/2023	2,000,000.00	4.52%	63	A-1+
Commonwealth Bank	47	6/10/2023	3,000,000.00	4.46%	60	A-1+
National Australia Bank	48	8/11/2023	1,000,000.00	4.96%	92	A-1+
National Australia Bank	49	9/11/2023	707,486.48	4.95%	92	A-1+
Commonwealth Bank	50	20/10/2023	2,000,000.00	4.44%	60	A-1+
Commonwealth Bank	51	20/11/2023	2,000,000.00	4.93%	91	A-1+
National Australia Bank	52	27/11/2023	3,000,000.00	4.90%	90	A-1+
National Australia Bank	53	27/11/2023	3,000,000.00	4.90%	90	A-1+
National Australia Bank		At Call	849,807.82	Flex		A-1+
Total Investments			40,285,528.47			

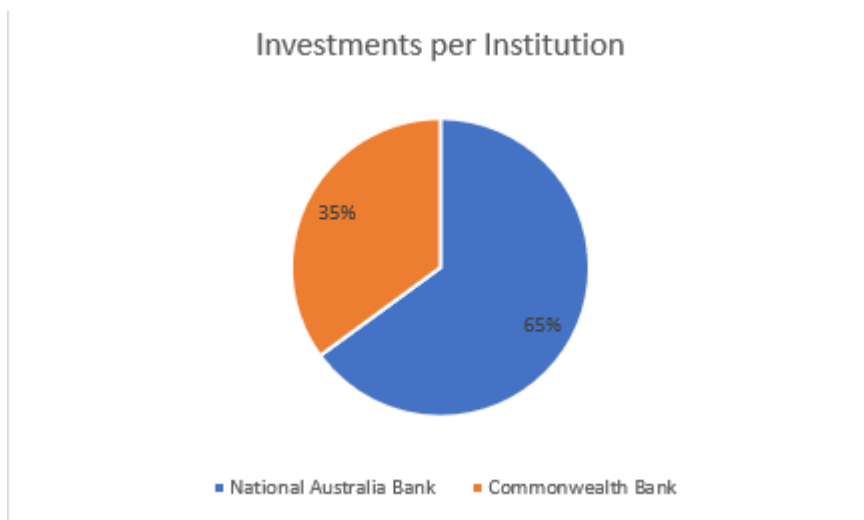
Term Deposits

Discussions/Comments

There has been increased on Investment portfolio for August 2023 by \$10,310,562.03 as compared to last year.



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 2021* and Council’s Investment Policy.

Ang Pasang Rai
Responsible Accounting Officer

Recommendation

- 1. That the report regarding Council's Investment Portfolio 31 August 2023 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

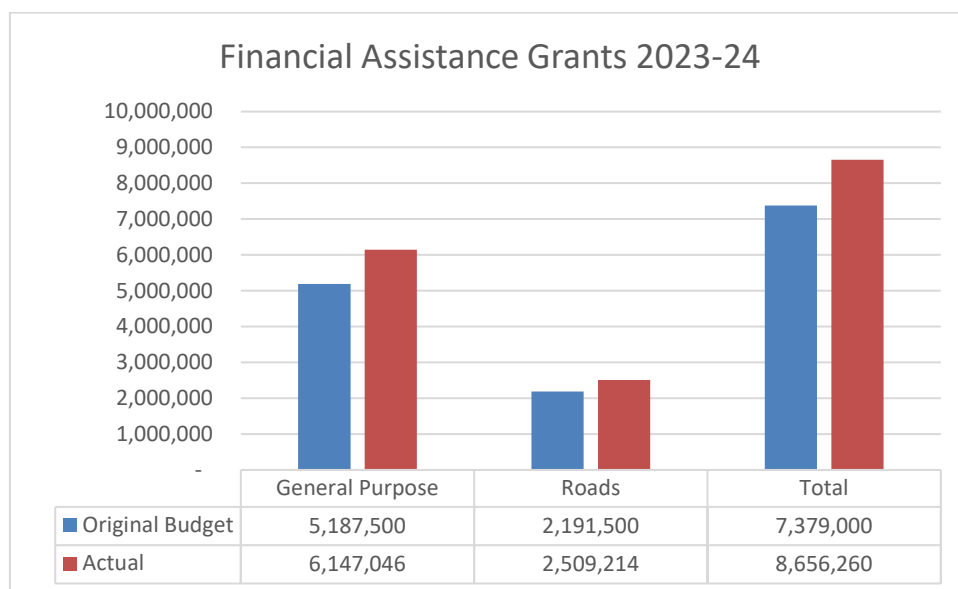
17.3 * FINANCIAL ASSISTANCE GRANT 2023/2024**

File Number: F1.4.6
Author: Ang Pasang Rai, Manager Corporate Services
Authoriser: Leonie Brown, General Manager
Attachments: 1. 2023-24 Financial Assistance Grants - Letter

Background

Council is in receipt of correspondence from the NSW Local Government Grants Commission, attached herewith, providing information to Councils detailing the way in which it calculates the Financial Assistance Grants (FAGs). This information also provides the Council’s 2023/2024 estimated FAG entitlement.

Council budgeted \$7,379,000 as its FAGs component for the 2023/2024 year. The Grants Commission has now provided an estimate of \$8,656,260 which is \$1,277,260 more than the Council’s original budget.



Current Situation

The 2023/2024 adjusted payment consist of both General and Local Roads components of the 2023/2024 entitlement, less an advanced payment made to Council in June 2023.

The adjustment is determined from the CPI and population adjustments.

As part of the Australians Government May 2023 budget, the Federal Government announced that it would bring forward 100% payment of the 2023/2024 Local Government Financial Assistance Grants. Therefore, Council had received an advance payment of \$8,077,979 in June 2023.

The total estimated payment of FAGs to be received in 2023/2024 will be \$8,656,260. The remaining payment of \$578,281 will be paid in four equal payments of \$144,569 in August and, November 2023 and, February and May 2024.

It is proposed that the additional funds be again allocated to Council's Asset Renewal Reserve, as it has done in previous years. The availability of funds in this reserve has enabled Council to submit grant applications in cases where a project requires matching funding or a contribution in order to increase its chances of success.

Financial Implications

The "Operating results" of the Council will be favourable, and the Asset Renewal Reserve for 2023/2024 will be increased by \$1,277,260.

Recommendation

- 1. That Council notes the report detailing the Financial Assistance Grants recommended allocation for 2023/2024.**
- 2. That the additional funds received, estimated to be \$1,277,260, be transferred to Council's Asset Renewal Reserve.**



NSW Local Government Grants Commission
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

OUR REFERENCE: A871240
CONTACT: Helen Pearce
(02) 4428 4131
helen.pearce@olg.nsw.gov.au

Ms Leonie Brown
General Manager
Bourke Shire Council

By email: lbrown@bourke.nsw.gov.au
cc: bourkeshire@bourke.nsw.gov.au

5 September 2023

Dear Ms Brown

In accordance with the NSW Local Government Grants Commission's (Commission) policy of providing information to councils about the way the Commission calculates financial assistance grants (FA Grants), please find attached a summary of Council's 2023-24 estimated FA Grants entitlement (**Appendix A**).

2023-24 ESTIMATED ENTITLEMENTS

The national FA Grants total estimated entitlement for 2023-24 is \$3.11 billion and is made up of \$2.15 billion for the general purpose component (GPC) and \$0.96 billion for the local roads component (LRC). The national estimated entitlement for 2023-24 increased by \$161 million to account for final adjustments to the Consumer Price Index (CPI) and population shares for the year.

The Commonwealth Treasury's estimate of the CPI for 2022-23 was adjusted up in July 2023. When compared to the 2022-23 final adjusted amount, the total national estimated FA Grants for 2023-24 increased by 5.5%. Accordingly, the State's FA Grants allocation for 2023-24 is slightly higher than last year, however the ongoing economic impact of the pandemic and other external factors are difficult to predict.

The national GPC was distributed across the states and territories on a population basis. NSW received 31.34% or \$675.7 million in the GPC, which represents a 4.05% increase on last year's final figure. The LRC is based on a historical formula. NSW's share of the total national road funding is a fixed 29% share, or \$277.5 million, which represents a 5.5% increase. The total 2023-24 FA Grants estimated entitlement for NSW is \$953.2 million.

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au
W <http://www.olg.nsw.gov.au>
(follow the "Commissions & Tribunals" links)



EXTERNAL FACTORS IMPACTING THE GPC POOL OF FUNDS IN NSW

The Commonwealth decided to pause indexation for three years from 2014-15 to 2016-17 due to budget constraints. In 2021, the impact of the global economic downturn (GED) was closely followed by the Covid-19 Pandemic. NSW also experienced devastating natural disasters, including bushfires and floods. During recent years, the Commission has been faced with these challenges, including a substantially reduced CPI in 2021. In 2023-24, the CPI has continued to trend towards previously average levels of about 3.5% to 4%. But further fluctuations cannot be ruled out.

Change of Annual Grant Entitlements	CPI % Change GPC	# of LGAs on 0% or <0%
2012-13 Final and 2013-14 Estimated	3.4	22
2013-14 Final and 2014-15 Estimated no CPI	-0.2	72
2014-15 Final and 2015-16 Estimated no CPI	-0.2	75
2015-16 Final and 2016-17 Estimated no CPI	0.1	56
2016-17 Final and 2017-18 Estimated	3.6	10
2017-18 Final and 2018-19 Estimated	3.6	12
2018-19 Final and 2019-20 Estimated	4.0	10
2019-20 Final and 2020-21 Estimated GED	0.9	33
2020-21 Final and 2021-22 Estimated Covid	1.7	29
2021-22 Final and 2022-23 Estimated Covid	3.3	9
2022-23 Final and 2023-24 Estimated Covid	4.0	*18

KEY
<i>Three years of paused CPI (only change applied was national movements in jurisdictional population shares)</i>
<i>Transition entered: # of LGAs on 0% or less had the -5% floor been retained</i>
<i>*8 metropolitan councils moved to the negative floor due to population decline as applying the per capita minimum produced a lower result than the negative floor</i>

A notable by-product of the pandemic flowing through the 2022-23 and 2023-24 grant calculations has been population decline in some metropolitan areas. This has resulted in eight metropolitan councils moving off the per capita minimum grant and instead, benefiting from the 0% floor, as councils cannot breach below 0% floor until the negative floor is resumed. This further demonstrates the need to expedite the pathway out of transition.

Council’s 2023-24 FA Grants estimated entitlement, compared to the 2022-23 final entitlement is as follows:

Bourke Shire Council				
Year	General Purpose	Local Roads	Total	Change
2022-23 final	\$5,451,280	\$2,295,987	\$7,747,267	
2023-24 est.	\$5,883,153	\$2,404,957	\$8,288,110	7.0%

To assist councils with budgets and bank reconciliations, a breakdown of the 2023-24 quarterly instalments is attached (**Appendix A**). The NSW Schedule of Payments is also attached (**Appendix B**).

IMPACT OF THE ADVANCE PAYMENTS

The Commonwealth Government decided to make an early payment of the 2023-24 estimated FA Grant entitlement to help manage the cumulative impacts of the floods and the pandemic. In June 2023, all councils were paid 100% of the estimated entitlement in advance, as calculated at that point in time (plus councils received 25% of the 2022-23 entitlement in the same year). This has resulted in the adjusted quarterly instalments for 2023-24 being significantly less than in recent years. The remainder of the grant entitlements (totalling \$45,227,839 for the state) will be paid in quarterly instalments in August 2023, November 2023, February 2024 and May 2024.

The Council of the City of Sydney and Randwick City Council's population decreases flowed through the grant calculations in the 2023-24 financial year, with both councils due to receive a reduction in the LRC. However, as the Commonwealth advance of 100% was based on the prior year's grant recommendations, both Councils received an overpayment in the LRC advance (Sydney \$35,538 and Randwick \$25,555, totalling \$62,083).

As a temporary measure to address the overpayment, the Commission made an accounting adjustment to the 2023-24 recommendations, spreading the overpayment proportionately over the other 126 councils' LRCs. This process will be reversed in 2024-25 to ensure the over and under payments reconcile with actual entitlements.

However, the Commission is concerned about the unpredictability the practice of advance payments creates. Long-term and annual budgeting forecasts are subject to changes, and annual financial statement results can often be skewed. The latest development of overpayments is beginning to impede the Commission's ability to make annual recommendations.

CHALLENGES IN FAIRLY DISTRIBUTING THE GPC FUNDS

As councils will be aware, the Commission is required to adhere to the National Principles which mandate a per capita payment based on population growth/decline. This inhibits the full application of the Horizontal Fiscal Equalisation (HFE) Principle, to distribute the grants on the basis of greatest relative need. It is also the policy of the NSW Government to explore opportunities to direct grants to communities with the greatest relative need. The Commission has had regard to these policies in allocating the grants. The map contained in **Appendix D** identifies the rate of population change in NSW from 2002 to 2022.

Appendix D lists the revised expenditure categories, disadvantage factors, data sources used in calculating the expenditure allowance and the relative disadvantage allowance.

The Commission has been investigating ways to direct funds to councils with greatest relative need. Information about the methodology review and subsequent transition has been provided to councils, including about the recommendations for model refinements. The Commission is currently considering options for a pathway out of transition and resuming the negative floor, which is likely to commence in 2024-25. Further information about the transition and general information about the FA Grants can be found on the Commission's webpage at

<https://www.olg.nsw.gov.au/commissions-and-tribunals/#lggc>.

SPECIAL SUBMISSIONS 2023-24

Special submissions from councils for 2023-24 will be considered by the Commission. The purpose of a submission is to give councils the opportunity to present information on the financial impact of inherent expenditure disadvantages beyond councils' control that are not generally recognised in the current methodology. Please refer to the expenditure functions and Council's disadvantage factors listed in **Appendix A**. This process allows the Commission to adequately consider all legitimate factors that affect councils' capacity to deliver services.

Appendix C, titled *Guidelines for Special Submissions*, contains guidance for preparing submissions – please read the guidelines carefully.

Submissions should be e-mailed to the Commission at olg@olg.nsw.gov.au by **30 November 2023**.

A MESSAGE OF CAUTION

There is no guarantee that a council will receive an increased FA Grant each year. There are a number of changing variables, including a council's changing measure of relative disadvantage compared to the state average measure and the size of the total FA Grant pool. Last year, the Commission advised of a possible decision to return to the GPC to a negative floor in 2024-25, which would result in some councils receiving less in the 2024-25 than they will in 2023-24. Councils have been consulted and have now been given six years to prepare. It is no longer sustainable to protect those councils with greatest relative advantage. The pathway out of transition is essential to distribute the GPC more fairly, allowing greater application of the HFE, consistent with the National Principles and NSW policy.

I would ask that this letter please be tabled at the next Council meeting.

If you have any questions concerning these matters, please contact me on (02) 4428 4131.

Yours sincerely



Helen Pearce
Executive Officer

17.4 PUBLIC INTEREST DISCLOSURE POLICY

File Number: 2571
Author: Ang Pasang Rai, Manager Corporate Services
Authoriser: Leonie Brown, General Manager
Attachments: 1. Draft Public Information Disclosures Policy

Background

The Public Interest Disclosures Bill 2022 (NSW) was passed by the NSW Parliament on 29 March 2022 and comes into effect on 1 October 2023. The Bill repeals and replaces the Public Interest Disclosures Act 1994 (NSW).

The Public Interest Disclosures (PID) Act 2022 introduces reforms to the way that public interest disclosures are made, received and dealt with and is intended to provide greater protection of persons who make public interest disclosures than currently afforded under the PID Act 1994.

This report provides an updated Public Interest Disclosures Policy reflecting the requirements of the updated Act.

Current Situation

Council's existing Public Interest Disclosures policy is proposed to be rescinded and, in its place, a new Policy has been developed that addresses and ensures compliance with the various changes that will come into effect when the new Act commences in October 2023. The significant elements of the new Act, which are reflected in the updated policy, are outlined below.

The Act attempts to provide a clearer definition of matters covered by the PID Act. The term *serious wrongdoing* replaces the previous lengthy descriptions of conduct that may be the subject of a public interest disclosure. *Serious wrongdoing* is defined under section 13 of the Act as follows:

In this Act, serious wrongdoing means 1 or more of the following —

- (a) corrupt conduct,*
- (b) a government information contravention;*
- (c) a local government pecuniary interest contravention;*
- (d) serious maladministration;*
- (e) a privacy contravention;*
- (f) a serious and substantial waste of public money.*

Categories of public interest disclosure

In accordance with the Act, public interest disclosures will now fall under categories determined by the circumstances under which the disclosure was made. Under section 21 of the Act, the categories of disclosure are:

- A witness public interest disclosure, or
- A mandatory public interest disclosure, or

- A voluntary public interest disclosure.

A **witness public interest disclosure** means a disclosure of information, in an investigation of serious wrongdoing, at the request of or in response to a requirement of a person or agency investigating the serious wrongdoing.

A **mandatory public interest disclosure** means a disclosure that occurs while the maker is meeting the ordinary requirements of their role or function or under some legal or statutory obligation imposed.

A **voluntary public interest disclosure** is made when a disclosure complies with sections 25, 26 and 27 of the Act. To meet these requirements, the Act provides that disclosure must be made by a public official, where the maker of the disclosure believes, on honest and on reasonable grounds, that the disclosure shows or tends to show serious wrongdoing, and is made to one of the following:

- The head of an agency,
- Another disclosure officer for an agency, (if applicable),
- A manager of the person making the disclosure, or
- Subject to section 28—a member of Parliament or a journalist.

Protections under the Act

Part 3 of the Act (s138-41) enhances the protections afforded to makers of public interest disclosures and increases some of the penalties for taking detrimental action against those individuals. Where a person commits detrimental action against a maker, or potential maker, of a public interest disclosure in reprisal, this is considered a detrimental action offence. Under section 33, a detrimental action offence will be punishable by an increased fine of up to \$22,000, or 5-years imprisonment, or both.

Where a person or Council believes that a detrimental offence has been committed, they must, by providing a brief of evidence relating to the alleged offence, refer the alleged offence to the Director of Public Prosecutions or the Attorney-General, as the case requires. Importantly, these protections are afforded to all persons, not only public officials, and relate to all three categories of public interest disclosure.

Agencies have an additional obligation under section 34 of the Act to refer evidence of a detrimental action offence to the Commissioner of Police and the Independent Commission Against Corruption. An agency must also notify the Ombudsman as soon as reasonably practicable after:

- Becoming aware of an allegation a detrimental action offence has been committed by a public official associated with the agency, or
- Referring evidence under section 34(1), or
- Becoming aware of the outcome of a prosecution against a public official associated with the agency for the commission of a detrimental action offence, or
- Otherwise becoming aware of a detrimental action offence that has been committed or alleged and arises from a public interest disclosure relating to the agency.

Section 36 of the Act also makes it clear that, where a person who took the detrimental action did so in connection with the person's position or role as an employee, a court may order that the person's employer is liable to pay damages and may order that the employer is jointly or severally liable.

Disclosure officers

Under the Act, disclosure officers are responsible for receiving voluntary public interest disclosures on behalf of Council. Persons considered to be disclosure officers include:

- The head of the Council (General Manager),
- For each work site that is permanently maintained by Council the most senior ongoing employee who ordinarily works at the site,
- A person specified in Council's public interest disclosure policy as a person with responsibility for receiving voluntary public interest disclosures on behalf of the agency.

Public interest disclosure policies

The new Act explicitly outlines the requirements for contents of Council's public interest disclosure policy. Part 4 of the Act requires that the relevant policy must specify Council's procedures to deal with the following:

- Dealing with disclosures that are or may be voluntary public interest disclosures;
- Acknowledging receipt of voluntary public interest disclosures and providing information to the makers of voluntary public interest disclosures;
- Taking steps to assess and minimise the risk of detrimental action, other than reasonable management action, being taken against a person as a result of voluntary public interest disclosures being made;
- Dealing with allegations a detrimental action offence has been committed by or against a public official associated with Council;
- Maintaining confidentiality in relation to voluntary public interest disclosures and protecting the identity of the makers of voluntary public interest disclosures;
- Taking appropriate corrective action in response to findings of serious wrongdoing or other misconduct that arise from voluntary public interest disclosures relating to Council;
- Record-keeping and reporting in relation to voluntary public interest disclosures, including the preparation of annual returns, which must contain the information prescribed by Regulation 5 of the Public Interest Disclosures Regulation 2022 (NSW) (the Regulations);
- Establishing internal oversight of Council's compliance with the Act;
- Responsibilities imposed on the General Manager, managers, and disclosure officers by the Act;
- Protections available to makers of disclosures;
- A list identifying the disclosure officers for Council (by class, position, role, or name) and contact information for those officers.

The draft Policy as attached herewith for Council for Councils consideration is compliant with the above legislated requirements

Financial Implications

There are no direct financial implications arising from this report.

Recommendation

- 1. That Councils Public Interest Disclosure Policy (v4) dated 23 July 2018 be rescinded.**
- 2. That the Public Interest Disclosure Policy dated 25 September 2023 (v5) developed as per the requirements of the Public Interest Disclosures (PID) Act 2022 be adopted and be effective as at 1 October 2023.**

SECTION No. 1
PART No. 1.4.3



Public Interest Disclosure Internal Reporting Policy

DRAFT

Policy No: 1.4.3 (v5)

Date Adopted: 25 September 2023

Date Effective: 1 October 2023

Minute No: 2023/

Supersedes: Public Interest Disclosure Policy 1.4.3 (v4)
Adopted 23/07/2018
Resolution Number 285/2018

Proposed Review Date: September 2025

Responsible Officer: Manager Corporate Service

Verified by General Manager..... Verified by Mayor.....

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PURPOSE

The purpose of this policy is to establish an internal reporting system for staff, Councillors and contractors to report wrongdoing without fear of reprisal. The policy sets who can receive reports of wrongdoing in Bourke Shire Council, what can be reported and how reports of wrongdoing will be dealt with.

Complaints cannot be made by the general public under this policy. The general public can make a complaint under Councils Complaints Management Policy.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the Public Interest Disclosures Act 2022 (PID Act).

The internal reporting system established under this policy is not to be used for staff grievances, which should be raised through Council's grievance procedures. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to the Manager Human Resources to be dealt with in accordance with the grievance procedure.

POLICY INTENT

The objectives of this policy are as follows:

- facilitate the disclosure by council officials of serious wrongdoing in or affecting council,
- promote a culture in which public interest disclosures are encouraged,
- protect council officials, witnesses and other persons from detriment or liability that might arise as a result of making public interest disclosures,
- provide a defined process for receiving and dealing with public interest disclosures,
- ensure the interests of all persons affected by public interest disclosures are taken into account in dealing with the disclosures

POLICY

1. Organisational Commitment

Bourke Shire Council is committed to:

- Creating a climate of trust and integrity, where staff, Councillors and other stakeholders are comfortable and confident about reporting wrongdoing;
- Encouraging individuals to come forward if they have witnessed what they consider to be wrongdoing within the Council;
- Keeping the identity of the person disclosing wrongdoing confidential, wherever possible and appropriate;
- Protecting individuals who make disclosures from any adverse action motivated by their report;

- Dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it;
- Keeping those who have made disclosures up to date of the progress of their report and the outcome;
- Ensuring managers and supervisors at all levels in Council understand the benefits of reporting wrongdoing, are familiar with this policy and their requirements and responsibilities under the policy, and aware of the needs of those who report wrongdoing.

2. Who Does This Policy Apply To?

This policy will apply to:

- both Council staff and Councillors;
- permanent employees, whether full-time or part-time;
- temporary or casual employees;
- consultants;
- individual contractors working for Council;
- employees of contractors providing services to Council;
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers;
- the policy also applies to public officials of another Council or public authority who report wrongdoing relating to Bourke Shire Council.

3. What Should be Reported?

You should report any suspected wrongdoing within Council, or any activities or incidents you see within Council that you believe are wrong.

Reports in relation to "serious wrongdoing" will be deemed as public interest disclosures and managed in accordance with the PID Act. For the purposes of the PID Act and this policy, serious wrongdoing constitutes the following:

- a) corrupt conduct,
- b) a government information contravention,
- c) a local government pecuniary interest contravention,
- d) serious maladministration,
- e) a privacy contravention,
- f) a serious and substantial waste of public money.

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the Code of Conduct or Council's Grievance Procedures.

Even if these reports are not dealt with as public interest disclosures, Council recognises that such reports may raise important issues. Council will respond to all reports and make every attempt to protect the individual member making the report from reprisal.

Provided below is more detail on the six categories of serious wrongdoing.

a) Corrupt conduct

Corrupt conduct has the same meaning as in the Independent Commission Against Corruption Act 1988 and the full definition should be taken from the ICAC Act. However, in general corrupt conduct is:

- any conduct of any person that adversely affects, either directly or indirectly, the honest or impartial exercise of official functions by any council official/s, or by council, or
- any conduct of a council official that constitutes or involves the dishonest or partial exercise of any of their official functions, or
- any conduct of a council official or former council official that constitutes or involves a breach of public trust, or
- any conduct of a council official or former council official that involves the misuse of information or material that they have acquired in the course of their official functions, whether or not for their benefit or for the benefit of any other person.

b) Government information contravention

Government information contravention means a failure, other than a trivial failure, by council or a council official to exercise functions in accordance with;

- the Government Information (Public Access) Act 2009, or
- the State Records Act 1998.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released;
- knowingly making decisions that are contrary to the legislation;
- directing another person to make a decision that is contrary to the legislation.

c) Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the Local Government Act 1993 and the Council's Code of Conduct relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at Council and Council committee meetings and leave the meeting while the matter is being discussed.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship;
- a Councillor participating in consideration of awarding a tender when they or their family have an interest in a supplier bidding for that work.

c) Serious maladministration

Serious maladministration is conduct, other than conduct of a trivial nature, of council or a council official relating to a matter of administration that is unlawful, or unreasonable, unjust, oppressive or improperly discriminatory, or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful;
- refusing to grant an approval for reasons that are not related to the merits of their application.

d) Privacy contravention

A privacy contravention means a failure, other than a trivial failure, by an agency or public official to exercise functions in accordance with;

- the Privacy and Personal Information Protection Act 1998, or
- the Health Records and Information Privacy Act 2002.

e) Serious and substantial waste of public money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting a substantial amount of public money.

For example, this could include:

- not following a competitive tendering process for a large-scale contract;
- having bad or no processes in place for a system involving large amounts of public funds.

4. Assessment of Reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The Public Interest Disclosures Coordinator (being the Manager Corporate Services or their appointed alternate) is responsible for assessing reports, in consultation with the General Manager where appropriate. All reports will be assessed on the information available to the Disclosures Coordinator at the time. It is up to the Disclosures Coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report, the

Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

5. When Will a Report be Treated as a Public Interest Disclosure?

Bourke Shire Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the disclosure must be about one of the following six categories of serious wrongdoing – corrupt conduct, a government information contravention, a local government pecuniary interest contravention, serious maladministration, a privacy contravention or serious and substantial waste of public money.
- the person making the disclosure must honestly believe, and on reasonable grounds, that the disclosure shows or tends to show wrongdoing;
- the disclosure has to be made to either the General Manager or, for reports about the General Manager, to the Mayor, a position nominated in this policy (see section 7), or in limited circumstances to an MP or journalist (see section 8);
- a disclosure that is made in written correspondence that is sent to Council's registered address, email address or other usual address for the receipt of electronic communications, but is not addressed to a specific individual, will be deemed to have been sent to the General Manager and be treated as a public interest disclosure if the other criteria are met.

Disclosures are not public interest disclosures if they:

- mostly question the merits of Council policy;
- concern only a grievance about a matter relating to the employment or former employment of an individual

A person making a report does not need to identify that the disclosure is a public interest disclosure, or that it is made under the PID Act, for it to be treated as a public interest disclosure.

6. Categories of Public Interest Disclosure?

Under the PID Act and this policy, there are three categories of public interest disclosure:

- a witness public interest disclosure, or
- a mandatory public interest disclosure, or
- a voluntary public interest disclosure, or

A **witness public interest disclosure** means a disclosure of information, in an investigation of serious wrongdoing, at the request of or in response to a requirement of a person investigating the serious wrongdoing on behalf of Council.

A **mandatory public interest disclosure** means a disclosure that occurs while the maker is meeting the ordinary requirements of their role or function or under some legal or statutory obligation imposed.

A **voluntary public interest disclosure** is made when a disclosure complies with the requirements of the PID Act and this policy and the disclosure is made by a council official, where the maker of the disclosure believes, on honest and on reasonable grounds, that the disclosure shows or tends to show serious wrongdoing, and is made to one of the following:

- a. The General Manager, or Mayor (only for reports relating to the General Manager),
- b. Another disclosure officer for Council identified by this policy,
- c. A manager of the person making the disclosure,
- d. Subject to section 28 of the PID Act and as outlined in this policy – to a member of Parliament or a journalist.

7. Who Can Receive a Report Within Bourke Shire Council?

The PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within Council who are authorised to receive a public interest disclosure (Disclosure Officers). Any non-identified council official who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 18).

If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

Mayor (for reports about the General Manager only)

General Manager

Manager Economic Development

Manager Environmental Services

Manager Roads

Manager Works Services

Manager Human Resources

Human Resources Officer

Disclosure Officer procedure upon receipt of a Report

- If a verbal complaint is made document in writing the details of the complaint, and have the document signed and dated by the reporter, if possible;
- Discuss with the reporter any concerns they may have about reprisal or workplace conflict;
- Carry out a preliminary assessment and forward their reports to the Disclosures Coordinator for full assessment. The Disclosure Officer may seek the assistance of the Disclosure Coordinator to undertake the preliminary

assessment if required. Where appropriate the Disclosures Coordinator may take responsibility for the preliminary assessment to ensure appropriate process and due diligence are applied.

Disclosure Coordinator procedure upon receipt of a Referral

- Assess reports to determine whether or not a report should be treated as a public interest disclosure;
- Coordinate Council's response to a report;
- Acknowledge reports and provide updates and feedback to the reporter;
- Assess whether it is possible and appropriate to keep the reporter's identity confidential;
- Assess and document the risk of reprisal and workplace conflict related to, or likely to arise out of a report, and develop strategies to manage any risk identified;
- where required, provide or coordinate support to individuals involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report.

8. Who Can Receive a Report Outside of Bourke Shire Council?

Staff and Councillors are encouraged to report wrongdoing within Council, but internal reporting is not your only option. In very limited circumstances you can also make a public interest disclosure to a Member of Parliament or a journalist, but only as outlined below:

a) Members of Parliament or Journalists

To have the protection of the PID Act, individuals reporting wrongdoing to a Member of Parliament (MP), or a journalist must have already made substantially the same report to a person nominated under this policy to receive such reports.

In addition:

- The previous disclosure must be substantially true;
- You did not make the previous disclosure anonymously;
- You did not give a written waiver of your right to receive information relating to your previous disclosure;
- You did not receive the following from Bourke Shire Council:
 - notification that Bourke Shire Council will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or
 - the following information at the end of the investigation period:
 - o notice of Bourke Shire Council's decision to investigate the serious wrongdoing
 - o a description of the results of an investigation into the serious wrongdoing
 - o details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

Investigation period means:

- after six months from the previous disclosure being made, or
- after 12 months if you applied for an internal review of the agency's decision within six months of making the disclosure.

b) Other external reporting

Council has not made arrangements for an external agency to receive voluntary PID's under section 81 (3) (a) of the Act. If you report wrongdoing to a person or authority that is not listed above or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or Council's Code of Conduct – by, for example, disclosing confidential information.

For more information about externally reporting wrongdoing, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

9. How to Make a Report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and will ask the person making the report to sign this record. If the reporter agrees to sign the record, they will be provided with a copy of this record.

Can a Report be Anonymous?

A disclosure, if made anonymously, may still be a voluntary public interest disclosure if it meets the other criteria outlined in this policy.

There will be some situations where you may not want to identify yourself when you make a report. These reports will still be dealt with by Council. However, reporters should note that Council cannot provide a reporter with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation, if a report is made anonymously.

10. Feedback to Individuals Who Voluntarily Report Wrongdoing

Staff, Councillors and other identified stakeholders who voluntarily report wrongdoing will be told what is happening in response to their report.

a) Acknowledgement

When you make a report, Council will contact you in writing as soon as is practicable, however no later than within 21 days of receipt of your report, to

provide you with a copy of this Policy and to confirm that your report has been received, and to advise:

- the timeframe within which you will receive further updates;
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report;
- the likely timeframes for any investigation or other action;
- information about the internal and external resources or services available that you can access for support.

Please note, if you make a report which meets the requirements of the PID Act but the report was made as a witness public interest disclosure or a mandatory public interest disclosure, you may not receive an acknowledgement letter or a copy of this policy.

b) Progress Updates

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay;
 - advice of any decision by Council not to proceed with the matter;
 - advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

c) Feedback

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified;
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.
- Council will notify you in writing of the action taken in relation to your disclosure as soon as a decision has been made, but no later than six months after your disclosure.

11. Maintaining Confidentiality

Council is committed to preserving the confidentiality of disclosures. Information tending to identify a person as the maker of a voluntary public interest disclosure (identifying information) may not be disclosed by Council or a council official.

The preservation of confidentiality of the facts of a disclosure will be subject to:

- a. the need to conduct an assessment of fact;
- b. the provisions of the PID Act for confidentiality;
- c. taking any consequential necessary actions; and
- d. putting in place any necessary care plans for relevant staff

All information received in relation to a disclosure must not be released without the consent of the Disclosure Coordinator, General Manager or Public Officer. This includes:

- a. the identity of the discloser;
- b. the identity of any person or persons who may be the subject of the disclosure; and
- c. the facts of the disclosure.

For all matters managed under this policy, wherever possible, only the following council officers will be made aware of a disclosure:

- General Manager
- Officer receiving disclosure (Disclosure Officer)
- Disclosures Coordinator
- Manager Human Resources

Where confidentiality cannot be maintained or officers other than those listed above need to be involved, the Disclosures Coordinator will seek the discloser's consent to release any details required to undertake an assessment or investigation; and develop a plan, in consultation with the Manager People and Culture/Public Officer and the discloser, to support and protect a discloser from reprisal.

Notwithstanding the above, the identifying information of a person making a voluntary public interest disclosure, may be disclosed if:

- (a) the person consents in writing to the disclosure of the identifying information, or
- (b) it is generally known the person is the maker of the voluntary public interest disclosure as a result of the person's voluntary self-identification as the maker, or
- (c) after consulting the person, Council reasonably considers it necessary to disclose the identifying information to protect a person from detriment, or
- (d) it is necessary the identifying information be disclosed to a person whose interests are affected by the disclosure, or
- (e) the identifying information has previously been lawfully published, or
- (f) the identifying information is disclosed to a medical practitioner or psychologist for the purposes of the practitioner or psychologist providing medical or psychiatric care, treatment or counselling to the individual disclosing the information, or

(g) the identifying information is disclosed for the purposes of proceedings before a court or tribunal, or

(h) the disclosure of the identifying information is necessary to deal with the disclosure effectively, or

(i) it is otherwise in the public interest to disclose the identifying information.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the Disclosures Coordinator and the General Manager, or in the case of a report about the General Manager, the Disclosures Coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that Council can protect you from any reprisal. If you breach the confidential nature of the process, Council may not be able to keep your identity confidential.

Any persons involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for managing the report.

12. Managing the Risk of Reprisal and Workplace Conflict

When an individual reports wrongdoing, Council will undertake a thorough risk assessment to identify the risk to the reporter of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace;
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified;
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

13. Protection Against Reprisals

Council will not tolerate any reprisal against any individual who reports wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff, Councillors and other stakeholders who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that

person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to employment;
- dismissal from, or prejudice in, employment;
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of Council's Code of Conduct which may result in disciplinary action. In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

It is important for staff and Councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where Council has reasonable grounds to take such action.

a. Responding to Allegations of Reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the Disclosures Coordinator or the General Manager immediately. In the case of an allegation of reprisal by the General Manager, you can alternatively report this to the Mayor.

All supervisors must notify the Disclosures Coordinator or the General Manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the General Manager, the Mayor can alternatively be notified.

If Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue;
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff;

- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter;
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;
- refer any breach of Part 8 of Council's Code of Conduct (reprisal action) by a Councillor or the General Manager to the Office of Local Government;
- refer any evidence of an offence under Section 34 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

b. Protection Against Civil and Criminal Liability

The person making a public interest disclosure, in relation to the making of the disclosure—

(a) does not incur civil liability, including liability for breaching a duty of secrecy or confidentiality or another restriction on disclosure applicable to the person, whether or not imposed by an Act, and

(b) does not incur criminal liability, including liability for breaching a law or code of conduct imposing a duty of confidentiality or other restriction in relation to the disclosure of information, and

(c) is not liable to disciplinary action.

However, this protection does not extend to protect the reporter against liability for past conduct they themselves have undertaken.

14. Support for Those Reporting Wrongdoing

It takes courage to report wrongdoing, however support is available. Council offers a number of services that can help and support you if you have report wrongdoing.

Care Plans

The Disclosures Coordinator, in consultation with the Manager Human Resources, should put in place a care plan to manage any potential ongoing risk to the complainant. For example, if the complainant is currently required to interact directly with the respondent in the workplace, alternative arrangements may be put in place so that contact is avoided.

Employee Assistance Program

Staff and their immediate family members can access free confidential counselling or support at any time by contacting Councils Employee Assistance Program provider, Bourke Community Health. Council has engaged Bourke Community Health to provide the services of an Employee Assistance Program which includes independent and confidential professional support to employees and their immediate family members and offers individual face-to-face or telephone counselling. To make an appointment with Bourke Community Health, call 02 6870 2700.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the Disclosures Coordinator.

15. Sanctions for Making False or Misleading Statements

It is important all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. Such conduct may also be a breach of the code of Conduct resulting in disciplinary action. In the case of Councillors, disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

16 The Rights of Persons the Subject of a Report

Council is committed to ensuring staff or Councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time, you will be:

- advised of the details of the allegation;
- advised of your rights and obligations under the relevant related policies and procedures;
- kept informed about the progress of any investigation;
- given a reasonable opportunity to respond to any allegation made against you;
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

Being the subject of an allegation of wrongdoing can be particularly damaging to the wellbeing to the person subject to the report. Council offers a number of services that can help and support you if you subject to a report wrongdoing.

Care Plans

The Disclosures Coordinator should put in place a care plan to manage any potential ongoing welfare risks to the subject person.

Employee Assistance Program

Staff and their immediate family members can access free confidential counselling or support at any time by contacting Councils Employee Assistance Program provider, Bourke Community Health. Council has engaged Bourke Community Health to provide the services of an Employee Assistance Program which includes independent and confidential professional support to employees and their immediate family members and offers individual face-to-face or telephone counselling. To make an appointment with Bourke Community Health, call 02 6870 2700.

17. Reporting and oversight of Council's compliance with the PID Act

External Reporting

Council must report on its obligations under the PID Act and provide statistical information about public interest disclosures in its annual report, and to the NSW Ombudsman every six months. Councils Public Interest Disclosures Coordinator (Manager Corporate Services) has the responsibility for reporting relevant information to the NSW Ombudsman.

Council shall include the following information in an annual return to the NSW Ombudsman in relation to each voluntary public interest disclosure received or dealt with by Council during the return period—

- a) how Council received the disclosure, including the date on which it was received,
- b) whether the disclosure was a purported public interest disclosure,
- c) the nature of the serious wrongdoing the disclosure was about,
- d) if applicable—the relationship between the maker of the disclosure and the Council official whose serious wrongdoing the disclosure was about,
- e) whether the serious wrongdoing involved one Council official or more than one Council official,
- f) action taken by Council to deal with the disclosure, including the date on which Council ceased to deal with the disclosure,
- g) if Council investigated the serious wrongdoing—a description of the results of the investigation,

- h) if applicable—the corrective action taken, proposed to be taken or recommended to be taken by Council.

Internal oversight

Council's Public Interest Disclosures Coordinator (Manager Corporate Services) has the opportunity to meet with Council's Audit and Risk Management Committee in a confidential session, in the absence of other staff. The Public Interest Disclosures Coordinator, without specifying details of any individual matter, may discuss any and all matters relating to Council's compliance with the Public Interest Disclosures Act.

18. Roles and Responsibilities

a. The Role of Council Staff and Councillors

Staff and Councillors play a key role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing;
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality;
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect;
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing;
- victimise or harass anyone who has made a report.

Additionally, the behaviour of all Council staff and Councillors involved in the public interest disclosures must adhere to the Bourke Shire Council Code of Conduct. A breach of the Code could result in disciplinary action.

b. The Role of Bourke Shire Council

Bourke Shire Council has a responsibility to establish and maintain a working environment that encourages staff and Councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

Council will assess all reports of wrongdoing it receives and deal with them appropriately. Once wrongdoing has been reported, Council takes 'ownership' of the matter. This means it is up to Council to decide whether a report should be investigated, and if so, how it should be investigated and by whom. Council will

deal with all reports of wrongdoing fairly and reasonably and respect the rights of any person the subject of a report.

To ensure Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

c. Responsibilities of Key Positions

General Manager

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring Council complies with the PID Act. The General Manager can receive reports from staff, Councillors and other identified persons, and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with;
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- ensure there are strategies in place to support reporters, protect them from reprisal and manage workplace conflict that may arise in relation to a report;
- make decisions following any investigation or appoint an appropriate decision-maker;
- take appropriate remedial action where wrongdoing is substantiated, or systemic problems are identified;
- refer actual or suspected corrupt conduct to the New South Wales Independent Commission Against Corruption (ICAC);
- refer any evidence of a reprisal offence under section 34 of the PID Act to NSW Police or the ICAC.

Public Interest Disclosures Coordinator

Council's Public Interest Disclosures Coordinator (Manager Corporate Services) has a vital role in Council's internal reporting system. The Disclosures Coordinator can receive and assess reports and is the primary point of contact in Council for the reporter. The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager);
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- coordinate Council's response to a report;
- acknowledge reports and provide updates and feedback to the reporter;
- assess whether it is possible and appropriate to keep the reporter's identity confidential;

- assess and document the risk of reprisal and workplace conflict related to, or likely to arise out of a report, and develop strategies to manage any risk identified;
- where required, provide or coordinate support to individuals involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report;
- ensure Council complies with the PID Act;
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

Manager Human Resources

The Manager Human Resources (MHR) has been appointed as Council's (Alternate) Disclosures Coordinator. The Manager HR will assume the responsibilities of the Disclosures Coordinator outlined above during periods of absence of the Disclosures Coordinator or as directed by the General Manager.

Disclosures Officers

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing, and assist individuals to make reports.

Disclosures Officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter;
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary, away from the workplace;
- discuss with the reporter any concerns they may have about reprisal or workplace conflict;
- conduct preliminary assessment and forward reports to the Disclosures Coordinator or General Manager for full assessment.

Mayor

The Mayor can receive reports about the General Manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with;
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- refer reports to an investigating authority, where appropriate;
- liaise with the Disclosures Coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report;
- refer actual or suspected corrupt conduct to the ICAC;
- refer any evidence of a reprisal offence under section 34 of the PID Act to NSW Police or the ICAC.

Supervisors

Supervisors who are not identified as Disclosure Officers still play a key role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors should be aware of the Public Interest Disclosures Policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support them when they do;
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy;
- ensure that individuals who report suspected wrongdoing are assisted in making that report directly to a Disclosures Officer or the Disclosures Coordinator, to ensure protection from reprisal pursuant to the PID Act.
- implement local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report;
- notify the Disclosures Coordinator or General Manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Mayor.

19. Training and Awareness

To ensure that Council creates a culture that facilitates the disclosure by council officials of serious wrongdoing within Council, a comprehensive and ongoing public interest disclosure training and awareness program will be implemented.

Refresher training will be provided at least every 3 years.

General awareness training

Council will ensure that all Council officials are made aware of the following:

- a) how to make a voluntary public interest disclosure, and
- b) the details of, and how to access, Council's Public Interest Disclosure policy, and
- c) the fact a person who is dissatisfied with the way in which a voluntary public interest disclosure has been dealt with by Council may be entitled to take further action under the PID Act.

Council will do the following as soon as reasonably practicable after a new Council official is appointed to their role/functions:

- a) give the Council official a copy of Council's Public Interest Disclosure policy;

- b) direct the Council official to the page of Council's public website or intranet, on which Council's Public Interest Disclosure policy is published.

Responsible officers training

Council will ensure that the following Council officials are made aware of the official's responsibilities under the PID Act and Council's Public Interest Disclosure policy:

- a) General Manager;
- b) Mayor;
- c) Disclosure officers identified by Council as Disclosure Officers in accordance with this policy;
- d) Public Interest Disclosures Coordinator (and their alternate).

Council will ensure that any Council official appointed to an above-mentioned role will be given the relevant training within a reasonable time after the person is appointed to the role, however no later than 3 months after the person commences in the role.

20. More Information

Staff can seek more information around public interest disclosures and advice and guidance from the Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

21. Resources

The contact details for external oversight authorities that staff receive external and independent advice from are listed below.

For information about corrupt conduct:

Independent Commission Against Corruption (ICAC).

Phone:	02 8281 5999
Toll Free:	1800 463 909
Email:	icac@icac.nsw.gov.au
Web:	www.icac.nsw.gov.au
Address:	Level 7 255 Elizabeth St Sydney NSW 2000

For information about maladministration:

NSW Ombudsman.

Phone:	02 9286 1000
Toll Free:	1800 451 524
Email:	nswombo@ombo.nsw.gov.au
Web:	www.ombo.nsw.gov.au
Address:	Level 24 580 George St Sydney NSW 2000

For information about breaches of the GIPA Act:

Information and Privacy Commissioner.

Toll Free:	1800 472 679
Email:	ipcinfo@ipc.nsw.gov.au
Web:	www.ipc.nsw.gov.au
Address:	Level 17 201 Elizabeth St Sydney NSW 2000

For information about local councils

Office of Local Government.

Phone:	02 4428 4100
Email:	olg@olg.nsw.gov.au
Web:	www.olg.nsw.gov.au
Address:	5 O'Keefe Avenue Nowra NSW 2541

22. Legislative Requirements

The Public Interest Disclosures (PID) Act 2022 (the PID Act) prescribes a framework for the disclosure and investigation of wrongdoing and maladministration in the public sector. Under section 42 of the PID Act, Bourke Shire Council is required to have in place a policy and procedures for receiving, assessing and dealing with public interest disclosures (PIDs).

23. Review

This Management policy will be reviewed every two years from the date of each adoption of the policy, or more frequently as required.

APPENDIX A – FULL LISTING OF COUNCIL STAFF POSITIONS IDENTIFIED AS DISCLOSURE OFFICERS

NOTE: This list is only published in the internal version of the policy and is not published externally.

DRAFT

18 ECONOMIC DEVELOPMENT DEPARTMENT

Nil

19 DELEGATES AND COUNCILLORS REPORTS

Nil

20 POLICIES

Nil

21 PRÉCIS OF CORRESPONDENCE

Nil

22 ACTIVITY REPORTS

22.1 ACTIVITY REPORT - ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS COMPLETED

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

Background

The following information outlines works undertaken during August 2023.

ENGINEERING SERVICES - Road Works – Works Undertaken		
Michael Willoughby – Roads Supervisor		
NORTH SECTOR – Denis Tiffen, Team Leader		
Location	Work Carried Out	Completed
RLR-28	Re-sheeting	N
SOUTH SECTOR - John Reed, Team Leader		
Location	Work Carried Out	Completed
State Highways	Heavy Patching	N
Showground	Carpark	Y
Expo Centre	Walking Track	Y
TRANSPORT SECTOR - Simon Wielinga, Team Leader		
Location	Work Carried Out	Completed
RLR-28 Janbeth Road	Gravel re-sheet	N
BITUMEN SECTOR – Phillip Harvey, Team Leader		
Location	Work Carried Out	Completed
Bourke Township	Pothole patching	Y
Regional Roads	Pothole patching	Y
State Highways	Pothole patching	Y
SH 7 South of Bourke	Control vegetation (ongoing)	N
MR 421 Kidman Way	Control vegetation (ongoing)	N
CONTRACTORS		
Location	Work Carried Out	Completed
RLR-27	Maintenance grade (NAK)	N
RLR-14	Maintenance grade (Sandford)	N
RLR-10	Re-sheeting (Sandford)	N

WORKSHOP – Works Undertaken		
Colin Kiley, Team Leader, Tradesman Plant Mechanic		
Plant no	Plant Type	Work Completed

21	Mazda CX-5	Repaired damage to rear light.
46	Hino Tipper	Completed 250,000 km service.
50	1116 Kenworth T409SAR	Completed 420,000 km service.
66	Caterpillar Backhoe	Removed blown hydraulic hose, manufactured new one and reassembled. Checked and topped up oil.
68	2011 Moore Road Train B Double X5 08 02	Manufactured new trap system, welded brackets, wired and installed new trap system.
69	2011 Moore Road Train B Double X5 08 03	Manufactured new trap system, welded brackets, wired and installed new trap system.
92	2014 Western Star 4800FS	Replaced damaged clutch line and bleed system. Diagnosed doser pump air leakage, found faulty housing, removed and replaced doser pump. Removed and replaced blown clutch hose, bleed system, further diagnostics, thrust and spigot bearings collapsed, removed and replaced clutch kit. Repaired park and driving light wiring. Passenger window mechanism removed and replaced. Removed and replaced air compressor.
108	Toro 74904	Removed and replaced blocked fuel filter.
110	2015 Toro GM 360 Quad steer	Replaced blades and repaired fuel leak.
112	2015 Trailer	Cut and removed damaged jockey wheel cleaned up area and welded a new jockey wheel in.
120	2020 Mazda BT-50	75,000 km service completed.
134	2019 John Deere 770g	Removed, manufactured and replaced hydraulic hose. Completed 4,750 hour service.
139	Caterpillar 950h	Rewired and fixed air leak in seat.
141	John Deere Grader	Removed, repaired and replaced 2 leaking tyres.
146	2020 Ford Pk Ranger	Completed 70,000 km service.
147	2020 Trailer	Completed 50,000 km service.
155	2021 Isuzu 155	Completed 65,000 km service.
162	2020 Ford PJ Ranger	Completed 60,000 km service.
172	2017 Isuzu 1500 FXY	Removed parts at rear of truck for cleaning and repairs. Repaired front boom. Repaired air leaks.
174	2020 Mazda BT-50	130,000 km service completed.
181	Mitsubishi Triton	Diagnostics on limp mode, carried out burn clear codes.
188	John Deere 670g	2750 hour service completed. Removed and replaced damaged UHF aerial.
212	Genset	Completed 9,000 hour service. Cleaned out radiator and generator frame and replaced belt.
219	2022 Isuzu FVD 165-300 Auto MLWB DC	Replaced cab light bulb.
220	Pump and Trailer	Removed and replaced cracked fuel tank.
226-227	2020 Boggie Water Cart	Removed and replaced all rocker box and torque rod rubbers, replaced clearance lights and number plate lights.
245	2022 Isuzu Generator	Completed 3,250 hour service. Diagnosed coolant leak

		and ordered parts for faulty coolant pump.
248	2022 John Deere 6125m	Starting problem, flat battery, checked power cables and jump started vehicle.
257	2021 Hino FE 1426	20,000 km service completed on top motor; 750 hour service completed on bottom motor. Removed water tank, repaired hydraulic leak, reassembled. Removed and replaced sucker hose.
265	Isuzu NQR 450	Removed burnt wiring in loom, repaired loom and made a new plug for the fuel pump. Repaired wiring and replaced fuse for driving lights. Completed 115,000 km service. Brazed broken fitting on pressure cleaning gun.
271	2022 Ford Ranger	Removed and replaced damaged left side mirror.
278	2022 ISUZU 75 155	Completed 20,000 km service. Repaired fuel leak from the tank on the back, repaired hose and nozzle.
310	2014 Caterpillar 432F	Completed 2,750 hour service. Removed, repaired and replaced damaged parts in oil cooler. Repaired leaking hydraulic hoses. Repaired oil leaks on rear boom. Removed and replaced front grill, condenser and small parts around that area. Evacuated and gassed air conditioning system.
370	Wing Slasher	Removed and replaced blades. Completed maintenance check.
405	2008 US Jetting SECA Projet 4018 300 HH	Repaired hose and replaced hose fitting.
425	2023 Caterpillar 966 M	Fitted number plates. Welded new bracket extensions.
440	2022 Ford Ranger	Completed 30,000 km service.
505	2018 Kenworth Primemover T 659	300,000 km service completed. Removed and replaced faulty air fittings. Removed and replaced fuel gauge in tank.
506	Kenworth Primemover	Completed 270,000 km service. Removed and replaced faulty air control valve. Removed and replaced 3 leaking air bags and 2 air hoses. Removed and replaced left hand rear air bag.
520	2018 Moores Road Train B Double YN 03 BI	Removed broken rocker box, replaced rocker box and rubbers.
521	2018 Moores Road Train B Double YN 04 BI	Repaired wiring and replaced tail lights. Removed and replaced rear marking plate.
Jandra Paddle Boat		Fitted ball valves to fuel lines and set up emergency fuel shut off cables and repaired oil leaks. Calibrated paddle revolution counter and carried out repairs.
Renshaw Sporting Complex		Assisted with maintenance and repairs at the showground.
Small Plant		Carried out repairs and serviced small plant.
Registration Checks		Completed 10 to 15 Registration checks per week.
Staff Training		
Forklift Licence		Ben Dorrington and Raymond Simmons.
Backhoe training		Ben Dorrington.

TAFE	Ben Dorrington and Denzel Jackson.
ERC Training	Colin Kiley and Ben Dorrington.

Recommendation

That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Monday, 25 September 2023.

22.2 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 month of August 2023.

Current Situation

PARKS & GARDENS – Frank Hollman, Acting Team Leader	
Location	Work Carried Out
General	All parks, sporting grounds and gardens - regular mowing and maintenance completed Sporting grounds facilities cleaned and maintained Public toilets cleaned and maintained Facilities cleaned General graffiti removal carried out on Council facilities
Small Plant	Maintenance and service carried out on all ground plant
Works Requests	Actioned and ongoing
1 Tudor St	General maintenance carried out
Wharf	General maintenance carried out
Council Office	General maintenance carried out
Renshaw Complex	Grounds and facilities cleaned and maintained
Coolican Oval	General maintenance carried out Prepared grounds for Soccer
Davidson Oval	General maintenance carried out Prepare grounds for Rugby League Grand Final Prepare grounds for Rugby Union Prepare grounds for Bourke Primary Schools Athletic Carnival
Central Park	Skate Park - regular mowing and maintenance carried out, graffiti removal
Villages	Mowed grounds, facilities cleaned and maintained Prepared grounds for Louth Races
Airport	Mowed airstrip
Darling Park	General maintenance carried out Prepared grounds for Soup Kitchen
Staff Training	Nil

TOWN SERVICES– Troy Hayman, Team Leader	
Location	Work Carried Out
Work Requests	Actioned and ongoing Weekly sand footpaths

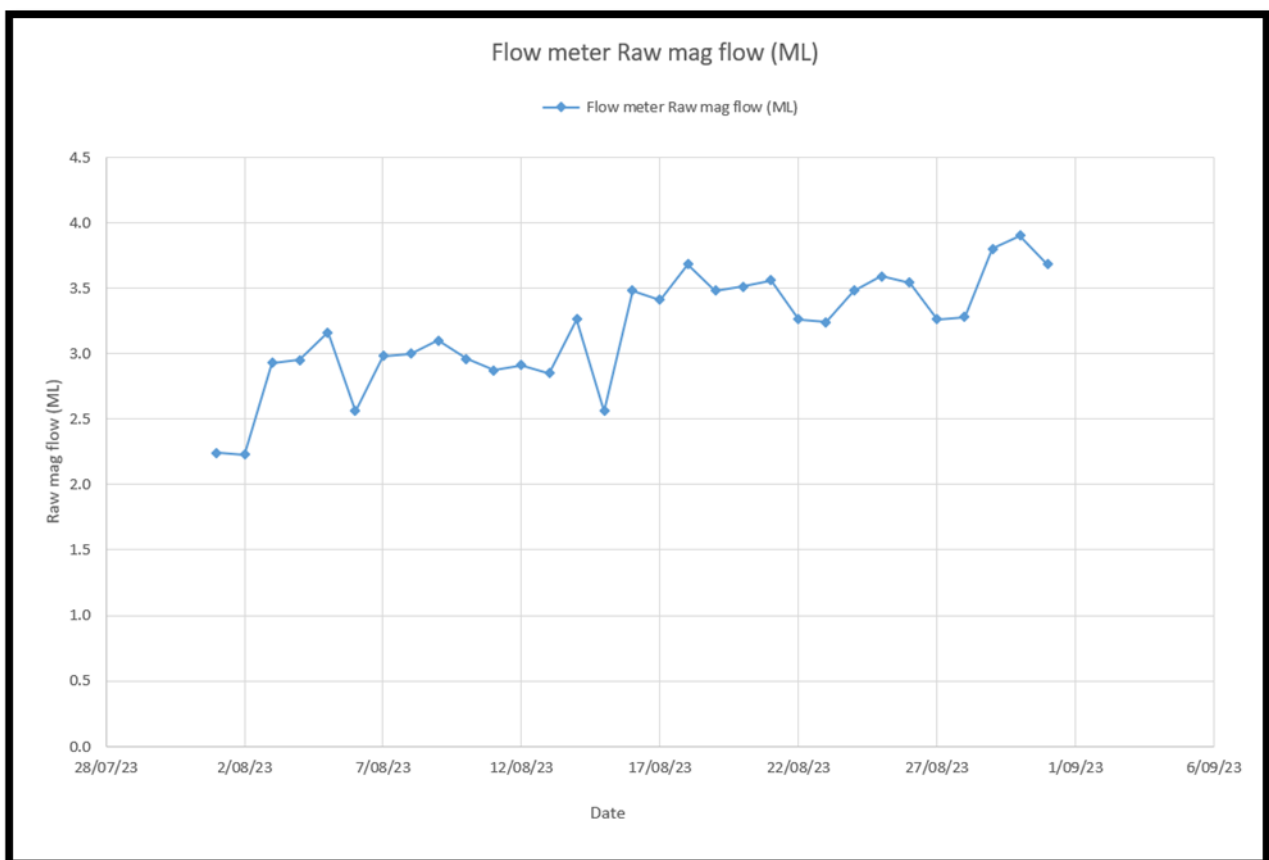
	Weekly Town mowing
	Relieving Staff in garbage truck
	Daily Main Street Program
	Daily airport Inspections
	Airport Slashing and Mowing
	Town Slashing and laneways
	Town Poisoning
	Prune trees along footpath in Darling Street
	Monthly airport inspections Louth & Wanaaring
Cemetery	Prepared graves:- 1/08/2023, 3/08/2023, 10/08/2023, 22/08/2023 x 2 and 24/08/2023
Rest Areas	Weekly cleaning and water pressure clean of new toilets - 65km Cobar Road
	Monthly service and roadside rubbish removal
	Mow 5 km Cobar Road, wash and pressure clean tables
	Removed burnt car from 55 kms out on the Sydney Road
	Installed new bin at 5 km rest area on the Cobar Road
Staff Training	Confined spaces and Working at heights training for Ben Harvey and Trent Gale
General Works	Removed dead tree from Courthouse footpath, Richard Street
	Erected new bin stand at recycling corner Richard and Oxley Streets
	Assisted with replacement of levee bank flood gates
	Back Filled graves as required
	Cleaned up laneway behind Diggers
	Cleaned graffiti off monuments in Central Park and bin stand on IGA footpath
	Cleaned town CCTV cameras
	Delivered sand and mulch to BOBEC
	Footpaths mowed around town
	Delivered gravel for contractor working on laneway behind Shire Office
	Delivered sundry debtor crusher dust #0457
	Mowed North Bourke subdivision
	Mowed and poisoned around runway lights at the airport
	Delivered sand to Percy Hobson Park
	Poisoned fence line at the depot
	Assisted Richard Bros with clean out of levee flood gates and gross pollution traps
	Installed rising lid on gross pollution trap in road located at the wharf
	Unloaded truck with equipment for new kiosk
	Assisted with installation of signage at Enngonia

WATER & WASTEWATER – Shane Hopley, Team Leader	
Water Supply Planned Maintenance	
27 Mitchell Street	Repaired leaking garden tap
Louth	Checked toilets and pumped out septic
Wanaaring	Replaced standpipe at the Fire Station
27 Anson Street	Repaired leaking fire hydrant
3 Meek Street	Replaced 100mm raw water valve
3 Meek Street	Replaced fire hydrant
47 Moculta Street	Repaired leaking 25mm raw water service

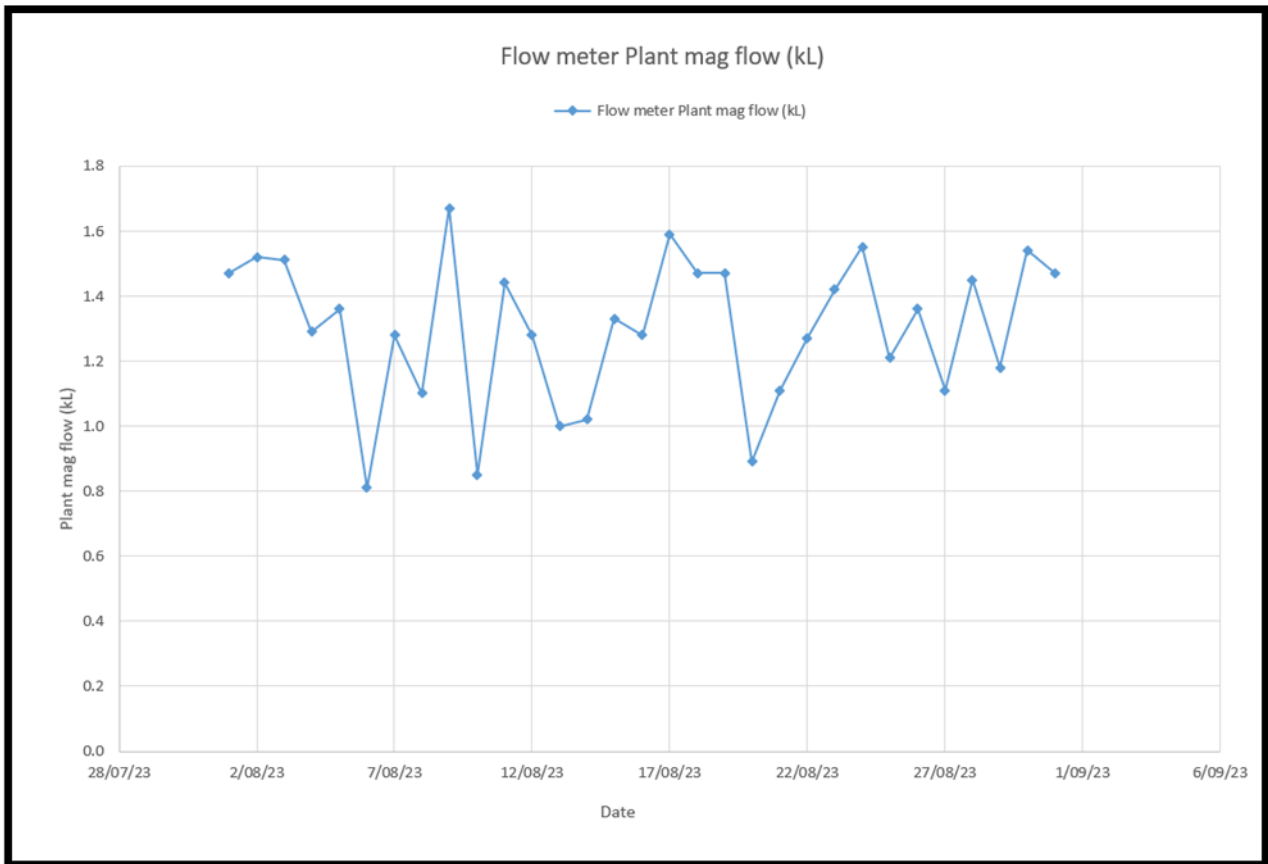
40 Tudor Street	Repaired leaking 25mm raw water service
25 hope Street	Repaired leaking 25mm raw water service
10 Harris Street	Dug 100mm raw water main and repaired leak
96 Hope Street	Dug 100mm raw water main and repaired leak
104 hope Street	Dug 100mm raw water main and repaired leak
25 Anson Street	Dug 100mm raw water main and repaired leak
92 Hope Street	Dug 100mm raw water main and repaired leak
Cemetery	Dug 100mm raw water main and repaired leak
Rotary Park	Repaired leaks and replaced valve box on irrigation system
Central Park	Repaired leaks on irrigation system
5 Yanda Street	Removed 20mm filtered water meter
65 Anson Street	Removed 20mm filtered water meter
7 Culgoa Street North Bourke	Installed new 20mm filtered water services
Pool	Repaired filtered 50mm poly line
WTP	Replaced pipe work filtered pump site
Central Park	Repaired filtered 25mm poly line
12 Oxley Street	Repaired leaking 20mm filtered water service
4 Mitchell Street	Repaired leaking 20mm filtered water service
6 Harris Street	Repaired leaking 20mm filtered water service
48 Oxley Street	Repaired leaking 20mm filtered water service
2 Denman Street	Repaired leaking 20mm filtered water service
3 Hamilton Place	Raw water service meter removed
Alice Edwards Village	Dug 100mm filtered water main and repaired service
26 Short Street	Dug 100mm filtered water main and repaired service
15 Mitchell Street	Dug 100mm filtered water main and repaired service
Alice Edwards Village	Dug 100mm filtered water main and repaired main
Polygonum Swamp Road	Dug 100mm filtered water main and repaired 50mm service
8 Mertin Street	Replaced manhole lid
28 Mitchell Street	Replaced manhole lid
16 Warraweena Street	Installed new sewer boundary
51 Hope Street	Dug sewer main cleared sewer choke
BOBEC	Sewer choke
18 Short Street	Sewer choke
51 Hope Street	Sewer choke
91 Darling Street	Sewer choke
32 Tarcoon Street	Sewer choke
51 Hope Street	Sewer choke
69 Mertin Street	Sewer choke
20 Meek Street	Sewer choke
Adelaide Street	Sewer choke
69 Tudor Street	Sewer choke
20 Meek Street	Sewer choke
24 Darling Street	Sewer choke
6 Glen Street	Sewer choke
63 Oxley Street	Sewer choke
9 Glen Street	Sewer choke
97 Oxley Street	Sewer choke
37 Oxley Street	Sewer choke

1a Oxley Street	Sewer choke
7 Oxley Street	Sewer choke
15 Sturt Street	Sewer choke
69 Mertin Street	Sewer choke
32 Tarcoon Street	Sewer choke
11 Warraweena Street	Sewer choke
2/107 Mitchell Street	Sewer choke
Cottage 16 Alice Edwards Village	Sewer choke
51 hope Street	Sewer choke
31 Oxley Street	Sewer choke
Becker Street SPS	Confined space entry

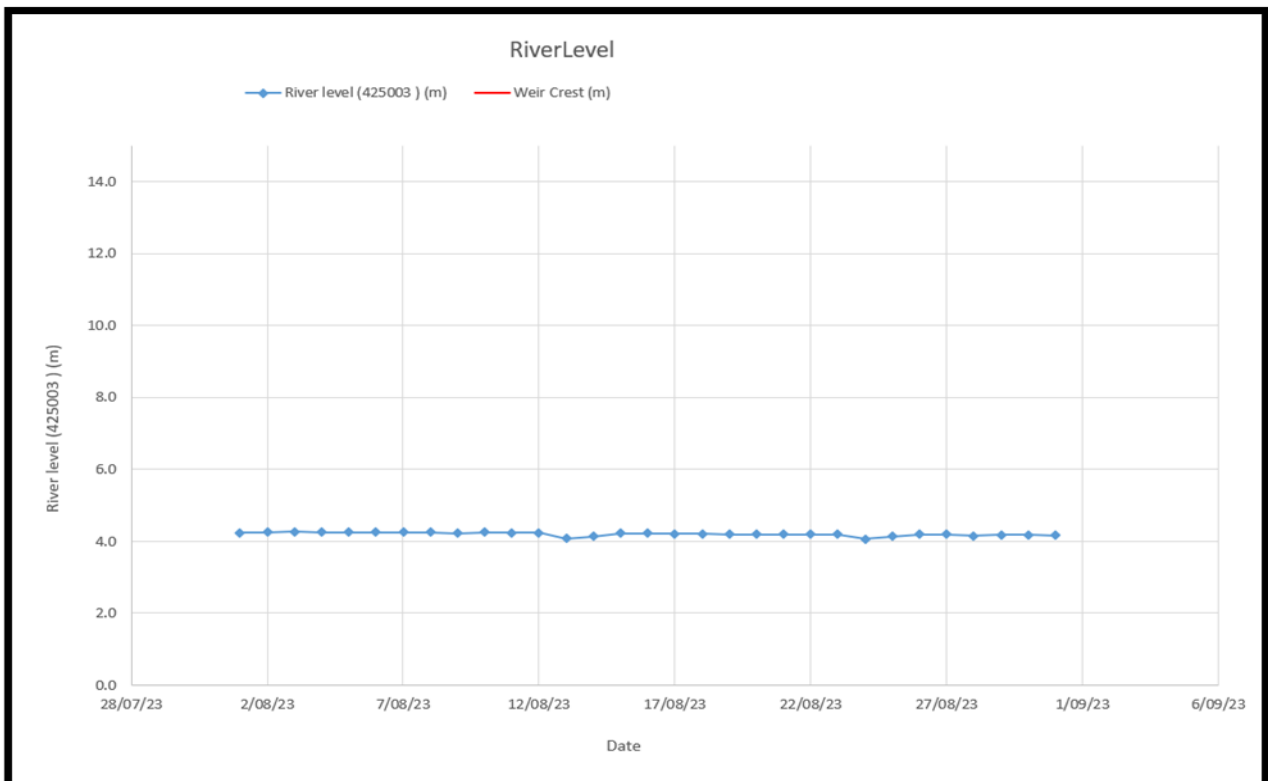
Raw Flow Meter



Plant Flow Meter



Current River Levels



Monthly Readings

Month	Raw water ML	Filter magflow pump 2 ML	Raw Water North Bourke KL	Filter Water North Bourke KL
January 2023	178	45	22,546	1,254
February 2023	170	43	32,365	1,534
March 2023	179	54	30,210	1,325
April 2023	138	44	29,421	1,526
May 2023	87	41	11,944	2,130
June 2023	75	41	10,125	2,135
July 2023	71	40	8,850	1,832
August 2023	99	38	11,568	1,996

Council's Water Access Licences – WAL's

Work Approval	Extraction Site	Site Name	Start meter read 01/07/2023	Meter read Aug-23	usage Year to Date			Comment
85CA753414	ESID 121627	Water Plant TWS	16043.5	16212.84	169.34	ML	3200ML	
85CA753420	ESID 121630	North Bourke TWS	1930.965	1957.981	27.016	ML	300ML	
85CA753421	ESID 121630	North Bourke Abs	34.023	36.086	2.063	ML		
85CA751207	24634	Engonia Village TWS	47.653	51.118	3.465	ML	150ML	
85CA753599		Wanaaring Station	23.298	27.826	4.528	ML	25ML	
85CA753412	ESID 121626	(LWU Louth)	34.09	38.128	4.038	ML	25ML	
85CA751215	24639	Fords Bridge TWS	3.701	4.159	0.458	ML	2ML	
85CA751240	32585	Walken Bore No1	19.005	19.005	0	ML	100ML	
	148936	Walken Bore No2	128.567	128.567	0	ML		
	148937	Belvedere Bore	29.469	30.268	0.799	ML		Road Works
	209518	Stoney Rise Bore	26.844	34.238	7.394	ML		
	222419	Toll Bore			0	ML		No Meter Not Active
85WA753906		Gumbalie			0	ML		No Meter Required Road works Bore
90WA836011	208200	Rainbar or Tichaluka			0	ML		No Meter Required Road works Bore
90WA836179	211161	Rainbar or Tichaluka			0	ML		No Meter Required Road works Bore
85CA753031	ESID 12002	Golf Course			0	ML	320ML	No Meter Not Active
85CA752937	ESID 119950	Exhibition Centre			0	ML	29ML	No Meter Not Active

Water Quality Data Summary

Process	Parameter	Minimum	Average	Maximum	Lower critical lim	Upper critical lim	No. of samples
River level	River level (425003)	4.06	4.20	4.25		3.9	31
Raw Water	pH	7.19	7.54	7.76			31
Raw Water	turbidity	47.00	59.48	81.00			31
Filtered water	pH	7.34	7.50	7.64	6.5	8.7	31
Tower	Free Cl2	1.62	2.86	3.60	0.2	5.0	31
Bourke High Schoo	Free chlorine	1.60	1.65	1.70	0.2	4.0	2
Bourke High Schoo	pH	7.50	7.50	7.50	6.5	8.5	2
Bourke High Schoo	Turbidity	0.18	0.20	0.22	0.0	0.5	2
WTP	Free chlorine	2.84	2.84	2.84	0.2	4.0	1
WTP	pH	7.50	7.50	7.50	6.5	8.5	1
WTP	Turbidity	0.16	0.16	0.16	0.0	0.5	1
Bourke Primary Sch	Free chlorine	1.25	1.25	1.25	0.2	4.0	1
Bourke Primary Sch	pH	7.53	7.53	7.53	6.5	8.5	1
Bourke Primary Sch	Turbidity	0.19	0.19	0.19	0.0	0.5	1
Meadows Rd	Free chlorine	1.60	1.60	1.60	0.2	4.0	1
Meadows Rd	pH	7.56	7.56	7.56	6.5	8.5	1
Meadows Rd	Turbidity	0.23	0.23	0.23	0.0	0.5	1
Mitchell St	Free chlorine	1.80	1.80	1.80	0.2	4.0	1
Mitchell St	pH	7.46	7.46	7.46	6.5	8.5	1
Mitchell St	Turbidity	0.18	0.18	0.18	0.0	0.5	1
Alice Edwards Villa	Free chlorine	1.00	1.00	1.00	0.2	4.0	1
Alice Edwards Villa	pH	7.60	7.60	7.60	6.5	8.5	1
Alice Edwards Villa	Turbidity	0.25	0.25	0.25	0.0	0.5	1

Health Guidelines

Bourke drinking water supply scheme CCPs - summary				
Parameter	Frequency	Target Limit	Alert Limit	Critical Limits
CCP 1 Filtration				
Turbidity (NTU)	Continuous	<0.2	>0.45	>0.5
CCP 2 Chlorine Disinfection				
Free chlorine (mg/L)	Continuous	1.5 – 2.5	<1.0	<0.6mg/L winter <1.2mg/L summer
CCP 3 Fluoridation (future)				
Fluoride (mg/L)	Continuous	0.95 - 1.05	<0.95 or >1.2	>1.5
CCP 4 Integrity of Reservoirs				
System integrity (sealed and secure)	Weekly	No evidence of integrity breach	Integrity breach	Visual evidence of contamination
Bourke drinking water supply scheme OCPs - summary				
Parameter	Frequency	Target Limit	Alert Limit	Critical Limits
OCP 1 Oxidation				
Iron (mg/L)	Weekly	<0.05	>0.05	>0.1
Manganese (mg/L)	Weekly	<0.05	>0.05	>0.1
OCP 2 Coagulation, Flocculation, Clarification				
Turbidity (NTU)	Continuous	<1	>2.5	>5
UV Transmittance (%)	Continuous	>80	70 - 80	<70
OCP 3 UV Disinfection				
Status	Continuous	Operational	Operational but alarming	Offline

Treatment Plant EPA Licence Compliance

Record of Effluent Analysis

Pollutant	Unit Of Measure	Licence 100 Percentile Concentration Limit	August 2023 Test	July 2023 Test	May 2023 Test
Oil & Grease	mg/L	10	<2	<2	n/a-no flow
pH		6.5-8.5	9.2	8.39	n/a-no flow
Nitrogen (total)	mg/L	15	6.6	8.5	n/a-no flow
Phosphorus (total)	mg/L	10	2.9	3.02	n/a-no flow
Total suspended solids	mg/L	20	71	134	n/a-no flow
Biochemical oxygen demand	mg/L	15	17	2	n/a-no flow

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 August 2023 was 4.2mm.
- Hottest day for August 2023 was 29.7 degrees.
- Coldest day for August 2023 was 2.2 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, 25 September 2023.

22.3 ACTIVITY REPORT - PLANNING, REGULATORY & ENVIRONMENTAL SERVICES

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

Development Approvals			
Delegated Authority or Council	Consent Type & Consent No.	Subject Land	Nature of Development
Nil			
Total value of Approved works for August 2023			= \$0
No. of Development Application Approvals for August 2023			= 0
No. of Complying Development Application Approvals for August 2023			= 0

Building Services Report	
Location	Work Carried Out
Work Requests	Actioned and ongoing
Training	As required
Contractors	Maintenance works completed as required Upgrade works completed as per Operational Plan
Buildings	Maintenance works completed as required
Airport	Maintenance works completed as required

Animal Control		
Bourke Shire Council Holding Facility	Dogs	Cats
Animals in Pound beginning of Month	3	0
Seized Animals	4	0
Surrendered Animals	1	0
Total	8	0
Euthanised	0	0
Released from Pound	1	0
Rehomed/Adopted	7	0
Escaped from Pound	0	0
Died in Pound	0	0
Animals Remaining at End of Month	0	0
Total	8	0
Stock Rested in Stock Yards	71	

- 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.

Recommendation

That the information in the Planning, Regulatory and Environmental Services Activity Report as presented to Council on Monday, 25th September 2023 be received and noted.

22.4 ACTIVITY REPORT - GENERAL MANAGER

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

31 August 2023

Wilba Bus Service

Funded by a NSW State Government Grant through the Transport Access Regional Partnerships Program, Wilba the Empower Bus is a shared service that is currently operating on a 12-month trial in Bourke until, at this point, February 2024. The goal is obviously to see the program extended for a further long-term period. Like an Uber ride share vehicle, access to the Wilba Bus Service needs to be prebooked with the bus helping people get to healthcare appointments, visit loved ones, go shopping, attend sporting commitments or simply travel around our town. Operated by Tsukasa Hiraoka, she and her team are friendly faces to all passengers. It was pleasing to recently learn that the Bourke community is certainly embracing the Wilba Bus Service. For instance, statistics show that on a recent Thursday morning, the Wilba team had picked up 88 residents and provided a safe ride to their drop off, all before 11am that day. That is a fantastic number of passengers.

When the Service was initially launched, the Government said that “This new bus service will have positive outcomes for the residents and community of Bourke.” I am happy to confirm that such statement has proven to be correct with Wilba having a positive impact on the lives of our residents. In this regard, I am aware of a local resident, who before this service was provided to our community, felt isolated in her home for years. She mentioned that she now looks forward to her weekly bus trip with the friendly team and loves talking to other passengers and checking out the town while she is driven around. Wilba has provided more than just a ride share experience in the Bourke community and for one local lady, her weekly trips on the Wilba Bus is something exciting that she very much looks forward to.

The bus service operates from 8am to 7.30pm on Monday through to Friday, and 9am to 2pm on Saturday. To book a ride, call or text 0493 252 207 or visit <https://wilba.com.au/book-now//> Fares start from only \$1.15 for concession holders with children under 5 travelling free of charge when they are accompanied by a parent or carer.

Historic Key

Mayor Barry was recently delighted to receive correspondence from His Excellency General, the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia. Such correspondence enclosed a key presented in 1923 to the then Mayor of Bourke, Alderman James Kessey, on the occasion of the provision of electric lighting to Bourke. As advised by His Excellency, this piece of historical significance for the Bourke region had been presented to him by a Ms Faye Combe during an event at Admiralty House, the Sydney residence of the Governor-General on Sydney Harbour.

The Governor General advised that Ms Combe had purchased various items from a Smith Family store and “whilst sorting them out, found the enclosed key.” In presenting the key to His Excellency she advised that “she thought the proper home for the key was with the people of Bourke.”

In respect of Mr Kessey, on his passing, the Western Herald of Friday 18 August 1944 reported that James Kessey was an Alderman in Bourke for twelve years, “occupying the Mayoral chair for nine years.” The paper further noted that during his time as Mayor, “he achieved one of the most successful undertakings that Bourke has secured, viz, the electric light. He was instrumental in the town getting this modern facility.”

Today we take electricity and street lighting for granted, notwithstanding its current high cost, and it was undoubtedly a momentous day for Bourke back in 1923 when electric lighting initially came to the Shire. Whilst history reports that there were various instances of electric street lighting being pioneered at localities in NSW dating back to the late 1880’s (eg Tamworth in 1888), it was on 8 July 1904, when Mrs Olive Lees, the wife of the Lord Mayor of Sydney at the time, Samuel Lees, turned a golden switch-key that turned on the streetlighting on Sydney’s streets. It was then a further 19 years before electric lighting arrived in Bourke, such is the tyranny of distance. Mayor Barry has requested that I take the necessary action to have the key framed and then appropriately displayed, as an important part of Bourke’s history, with such action now underway. Naturally the Mayor responded to His Excellency and in doing so thanked he and Ms Combes for the provision of such an important piece of Bourke’s history. He also advised that Council would very much welcome the opportunity to host both he and Mrs Hurley on a visit Bourke to allow the community to show them further pieces of not only Bourke’s history, but also the history of our Nation.

Fire and Rescue NSW

By way of background, Fire and Rescue NSW (formerly the New South Wales Fire Brigades) is the State Government agency responsible for the provision of fire, rescue and hazmat services in cities and towns across New South Wales. Fire and Rescue NSW (FRNSW) is funded via the insurance industry which contributes 73.7% of the total cost of the service as per the FRNSW annual budget, from the State Government which contributes 14.6% and Local government which contributes 11.7% of the total. When people take out insurance, they contribute to the cost. We all contribute to the State's 14.6% when we pay taxes. Local Government (Councils) remit the amount FRNSW calculates as their share. When you pay rates, or pay rent to a landlord who pays rates, you contribute to the Council's contribution to FRNSW. For Bourke Shire Council, its contribution in 2023/2024 will be \$42,606.

With that funding model in mind, I was happy for the community when I was “greeted” by a new, state-of-the-art Regional Pumper firefighting appliance which was parked out the front of the Bourke Fire Station when I recently pulled up for work at the adjacent Council Chambers. Inquiries revealed that the truck is one of 18 new firefighting appliances being deployed across NSW to help better protect communities during bushfires and other emergencies. The multi-purpose vehicle is an Iveco 4 x 2 which is equipped with a 3000 litre/ per minute water pump, a compressed air foam system (CAFS) and a 2000 litre water tank. Bourke’s current Citizen of the Year, and Captain of the Bourke Fire and Rescue Brigade, John Milgate is naturally very happy with the new pumper which, in his opinion, will have a major impact on his crew’s capabilities in the field by allowing them to better deal with emergencies, such as truck fires on the highway. The new pumper will

undoubtedly help reduce potential harm to human life and damage to property and land and assist our local Brigade to respond to emergencies as the pumper can deal with the difficult terrain that is the bush of Far Western NSW. With a very hot summer period predicted and the resultant rapid dry off of natural vegetation, the new pumper will no doubt be of great assistance in protecting the local community during this period. Bourke is very well served by its on-call firefighters who respond to local emergency incidents 24 hours a day, 7 days a week from their home or other workplaces. I thank them for their efforts.

Honour Roll

The NSW Government's Hidden Treasures Honour Roll recognises extraordinary women who volunteer in regional, rural, and remote NSW. Nominations for the Honour Roll are now open, and I encourage members of the Bourke community to nominate some of our amazing women volunteers who assist so many people across the Bourke Shire and in doing so, make our community a better place to live.

Women are so often the backbone of families and communities and without their support many groups including charities, emergency services, the arts, environment, social justice, education and sporting organisations would struggle to survive.

The NSW Government initiated the Hidden Treasures project to promote and archive the work of these remarkable women. It is not an award program but a public tribute to the vast number of women who give their time and energy to help others across rural, regional and remote regions. To find out more about past honour roll recipients and to nominate a rural who has made a difference in our community go to: <https://www.nsw.gov.au/women-nsw/rural-womens-network/hidden-treasures>

Quote: "No one is bigger than the team, you win together, and you can certainly lose together." - Sam Kerr, Captain of the Matildas.

7 September 2023

Job Vacancies

As highlighted in a recent edition of the Western Herald, filling staff roles has been a real issue for many employers and Bourke Shire Council is no different. We recently had four roles that closed in the areas of Weeds Officer, IT Support Officer, Town Precinct Maintenance Officer, and a Payroll Officer. I was concerned that such a number of vacancies was just a specific Bourke issue. My concerns were dispelled considerably when I was recently in Dubbo where I heard an advertisement on commercial radio for a western based Council who was advertising the availability of numerous positions at their Council. Whilst the subject Council will remain nameless herewith, I searched the subject Councils website and to my surprise found that they had 14 current vacancies across all sectors of the organisation. As a Council only slightly larger than Bourke Shire, in terms of staff numbers, the 14 vacancies would, I suggest, be almost 10 percent of their total workforce numbers. We certainly live-in interesting times!

New Plant

Council has recently taken delivery of a new piece of heavy equipment as part of its cyclical Plant Replacement Policy. The subject piece of equipment is a Caterpillar 966GC Loader which is utilised by Council, in the main, to win and load gravel at Councils various quarries located across the Shire. The new loader replaces Council's former Caterpillar 950 Loader which, whilst having serviced Council most capably, was 10 years old and was starting to need more repairs, which means higher operating costs and results in more down time.

The new machine is a "state of the art" machine that comes with improved electronic, fuel, and air systems, when compared to the previous loader. It comes with an Engine Idle Management System that reduces idle revolutions per minute and this assists to lower fuel consumption. Interestingly, it has a variable speed fan that adjusts to meet the varying cooling requirements of the machine which results in a reduced average fan speed and lowered fuel consumption and noise levels. It also has load sensing hydraulics that produce flow and pressure for the hydraulics upon demand and only in amounts necessary to perform the needed work functions. All these features add to the efficiency of the loader and are part of reduced maintenance time and costs.

The new Caterpillar is a bigger loader than the machine that it replaced and importantly comes with a bigger loading bucket. This means that gravel trucks can be loaded at a faster rate noting that the old machine took some 5 to 6 buckets to load Councils tippers with the bucket on the new loader taking but 3 buckets to fill Councils tip trucks. That is a significant improvement which will certainly improve the turnaround time of Councils tipper fleet. Being a taller machine, which results in better visibility to load the tippers, the new loader also provides a comfortable working environment for our operators.

A considerable amount of work goes into process of acquiring such major plant items and I thank Councils staff in its Roads Department on acquiring this major plant item, which as part of the purchase criteria, was the largest that Council could acquire without having to update its float or needing permits to transport it between jobs.

Enngonia Races

With Council having recently completed the installation of new village entry signage at Enngonia and following the success of the recent Louth Races, the Organising Committee for the Enngonia Races, to be held this Saturday, 9 September 2023, are planning for a similar successful event. Celebrating the 75th anniversary of the meet, a six (6) race program has been organised with a staggering \$90,000 in prize money on offer. Whilst time is running out, I understand that you can purchase a single membership of the historic club for \$25. This membership covers entry to the course on race day and includes a limited-edition Enngonia Race Club Membership Pin. Donations over \$100 receive a complimentary membership. Club President, Callum Robinson or Secretary, William Ridge, (walridge92@gmail.com) can assist you with membership. With generous Jockey and Trainer rebates, amazing prizes for the highly contested Fashions on the Field, catering by the Outback Shack and entertainment after the last race by Sam McBride, it will undoubtedly be a great day for all.

Like the Bourke Easter Picnic Races and the Louth Races, the Enngonia race meeting event is much anticipated on the social calendar of many people, both local and from afar. As always, these

events are only possible with the hard work of the Committee, the financial support of sponsors and those who attend such events. I congratulate all involved.

Flood Warning Equipment

Council has received advice from the Bureau of Meteorology that it will be upgrading Bureau-owned assets across Australia that assist flood warning by improving the hardware and software that underpin riverine flood and weather warning data. From December 2023 the Bureau will replace manual rain and water gauges with automatic equipment in Bourke Shire with Bureau-owned sites at Enngonia (Warrego River) and Wanaaring (Paroo River) being upgraded. The works will see gauges that are currently read manually replaced, resulting in rainfall and water level information being provided in real-time. This will improve the speed and volume of information that is available and assists in monitoring and predicting riverine floods. Importantly, the new automated systems will improve the safety for volunteer observers during severe weather, replacing the current reliance on manual gauge readings.

The Bureau also advised that it is upgrading its supporting infrastructure, such as communication equipment and antennas that transmit data back to the Bureau. This is to make the network more reliable, resilient and secure. In the recent federal budget, the Australian Government committed funding of up to \$236 million over the next 10 years to address critical, long-standing risks in Australia's flood warning network in the nation's most flood-prone regions. As I understand it, some flood warning assets in the Bourke Shire area have been identified as high priority, and therefore the Bourke region will be a direct beneficiary of this initiative. The funding aims to simplify ownership and maintenance of high-priority flood warning assets by enabling the Bureau to acquire, upgrade and integrate key local government-owned, and some state government-owned, rain and water level gauges in high-priority areas into its existing flood warning network across Australia. Once complete, the work will improve community access to rain and water level observations and enhance provision of flood forecasts and warnings.

Whilst detailed planning for this initiative, which will include remediation and maintenance schedules for specific assets, has not been finalised, I look forward to working with the Bureau to confirm which gauges the Bureau will remediate and acquire, such that a schedule of works is ultimately coordinated and implemented.

Young Entrepreneurs

Councils Manager Economic Development, Mel Milgate, recently completed an entrepreneurial bootcamp with Bourke High School Students as part of the NSW Governments Regional Youth Entrepreneurial Activation Program (RYEAP). With Investment NSW having engaged with the Scale Institute, an organisation focused on "fostering entrepreneurial leadership that seeds innovation and helps to solve urgent and complex business problems," to deliver the 2023 Program, Bourke High School was one of 20 high schools selected in the State to take part in the bootcamp to learn the skills and mindset needed to become a successful entrepreneur.

Each school partnered with a local business who will present students with a current challenge they are seeking to solve. For Bourke High, they partnered with Council with the challenge being how might we design activities or events that celebrate and educates visitors about Bourke, whilst appealing to young people. Mel advised that the students then collaborated, and were mentored by Entrepreneurs in Residence, Nick and Nicola from the Scale Institute, to generate innovative

solutions which they will present at the Regional Pitch Fest showcase in November and receive valuable feedback.

Council was happy to be involved and assist as the students build their capabilities and knowledge to prepare them to be work ready and receive important life skills including creative and critical thinking.

Rugby World Cup

With the Rugby World Cup kicking off this weekend, on current form, I can't see the Wallabies reproducing either the success or the hype achieved by the Matildas at the recent Women's Football World Cup. Unless of course, Wallabies coach, Eddie Jones, pulls an absolute "rabbit out of the hat" and claims some unexpected results. Let's hope.

Quote: "It's the friends you can call up at 4am that matter." Marlene Dietrich

14 September 2023

Back O' Bourke Stampede

The Back O' Bourke Stampede-Peter Simmonds Memorial Pro-Rodeo is now only a month away with preparations well and truly underway for the Saturday 14 October 2023 event to be held at Bourke's Renshaw Oval. With what will undoubtedly be a fantastic day of thrills and spills, gates for the event will open to the public at 10.00am on the day in time to view the preliminary rides. At 3pm, the live musical entertainment commences and at 6pm, the main events get underway. With food and trade stalls on hand along with a licenced bar and fireworks display, full credit to the organising committee for their hard work to bring this exciting event to fruition for the people of the Bourke region.

Originally planned for Saturday 15 October 2022 and then on Saturday 3 December 2022, the Pro-Rodeo was postponed on two occasions due to the spate of wet weather and flooding that was occurring across western NSW at the time. Committee Chairman Stuart Gordon said it right at the time of the initial postponement when he stated in a media release, "Events such as the Stampede are expensive to conduct and for the Committee to proceed with the event at this point and establish the site, bring rodeo stock, pro-riders and members of the public all potentially travelling to Bourke during next week, only for the event to be ultimately cancelled on the day, would result in many thousands of dollars being incurred for no return." At this point the weather for the 2023 event is expected to be fine, warm and sunny.

Australia's elite cowboys, cowgirls and Big Al the Rodeo Clown will all be in attendance, and with the event being affiliated with the Australian Professional Rodeo Association (APRA), championship points are up for grabs by competitors. Being an APRA affiliated event means that the best stock will be in attendance and the Committee has engaged Garry McPhee and Gill Bros Rodeo Stock for the event. With both these stock providers having basically been around the rodeo circuit all their lives and having each won numerous awards for "Bucking Stock of the Year," between them they will undoubtedly present stock that provide tough competition for the riders.

These types of events are expensive to put on and in addition to the hard-working Committee, thanks are extended to the NSW Government who have provided substantial funding to ensuring

that this event is not only successful and feasible, but also that it is an affordable activity for the community to attend. Entry fees, payable at the gate, is \$10.

Agritourism

Australian Regional Tourism Ltd defines agritourism as “a type of experiential travel which connects people to product or produce, delivered on farming land through a direct “on farm” experience.” A layman’s example of agritourism are the ever-popular farm stays. Other examples of agritourism include the hosting of events, such as tours, weddings, conferences, and other functions; setting up a business such as a store or café, for tastings or workshops, to highlight farm produce; or the building of a roadside stall on a farm. Regardless of what the agritourism activity is, Bourke Shire has some excellent examples of a popular segment of the nation’s tourist market.

The NSW Department of Planning has now introduced clearer planning terms for agritourism with an amending State Environmental Planning Policy (SEPP) having been made by the NSW Government in August 2023. This has resulted in local environmental plans being amended to expand the permissibility of agritourism across NSW. This will make it easier for farmers to know how they can use their land for new income streams.

The new changes mean agritourism (which includes farm experience premises and farm gate premises) will be permitted with consent in all RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots zones in the Bourke Local Environmental Plans (LEPs). The amended SEPP has also removed the 100 visitors limit to farm gate premises for pick-your-own produce under exempt and complying development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Farmers now have greater flexibility to invite more visitors to buy their produce.

The NSW Department of Planning will shortly be making available guides to the setting up of an agritourism business for interested landowners. More information is available on their website at: <https://www.planning.nsw.gov.au> and search for agritourism.

Darling River

It doesn’t seem all that long ago that the Darling River at Bourke was at a near record flood level of 13.95 metres. As I write this column, a quick check of the Water NSW website shows that the river is at a level of 4.08 metres. At this reduced level the community is only 110mm or 11cm away from water ceasing to flow over the Bourke weir. Unfortunately, at that point it will be necessary for water restrictions to be once again imposed on the community. After the amount of water that flowed past Bourke in last year’s floods, and despite Councils continued efforts to increase the height of the Bourke Weir, restrictions are somewhat of a bitter pill. This is also the case given that regional storages in NSW, as at the beginning of September 2023, are 94% of the total accessible storage capacity, compared to 98% this time last year. The raising of the weir would result in the capacity of the Bourke Weir Pool to be significantly increased.

In terms of the climate outlook, the Bureau of Meteorology has updated their long-range weather forecast overview for September – November 2023 which provides that below median rainfall is very likely for most inland areas in NSW; above median minimum and maximum temperatures are

very likely, and the Bureau continues to be at El Niño Alert level. The Bureau has produced a long-range weather forecast overview video, and this is available for viewing at:
<http://www.bom.gov.au/climate/outlooks/#/overview/video>

Sport

The roll out of high-quality sport continues with September traditionally being the culmination of the winter sport program across the nation. At this point we are well into the semi-finals of the National Rugby League, Union and Australian rules competitions for both men and women. This year, hot on the heels of the Women's Soccer World Cup in Australia and NZ, we have the added interest in September and October of the Rugby World Cup. I am not so sure as to how far the Wallabies will progress in this competition, however regardless I am sure each of the Aussies will be giving it their absolute best. On top of this, the Australian Cricket Side is touring India playing one day games and various T20 games, the ICC One Day format Cricket World Cup is also on in India and then in December, Pakistan starts its cricket tour of Australia. It is a sportspersons delight!

As for my team in the NRL, the Tigers, we picked up the wooden spoon for the second year in a row. As they say, the only way is up. Enjoy the viewing at a great time of the sporting year.

Young Offenders

I was interested to read a recent report in the Sydney Morning Herald that stated that "Statistics show a significant rise in the number of 14-year-olds facing legal proceedings over breaking into houses in the past five years, and an increase in the number of 11 to 14-year-olds facing action over vehicle theft." Such report was off the back of a worrying increase in the number of unlicensed minors driving stolen cars, particularly after a series of crashes involving teenagers." With respect, this isn't news for many folk in our town. Unfortunately, many residents or visitors have experienced such crime and it was why Bourke Council previously resolved that it write to the Prime Minister, the NSW Premier, and others, "expressing Councils absolute opposition to an increase in the age of criminal responsibility from ten years to fourteen years." One can only imagine the carnage that would ensue in the event that the age of criminal responsibility was increased to 14 years of age. Seriously, the actions of some young offenders is damaging enough with the existing laws.

Quote: "He's a \$7 million dollar bull rider.....J B Mauney." World champion bull rider J B Mauney has won more money than any other bull rider in history, over \$7 million.

21 September 2023

September Council Meeting

The September meeting of Council will be held next Monday, 25 September 2023, commencing at 9.15am in the Council Chamber. Whilst all Council meetings are important, this meeting is especially so given that one of the early items on the agenda will be the election of the Mayor, followed by Councils consideration as to whether they will have a Deputy Mayor. On the assumption that Council will continue its past practice, the election of the Deputy Mayor will then proceed.

The NSW Local Government Act provides for two (2) methods that mayors in NSW are elected to the position. One method is where the voting residents of a council area vote and determine the holder of the position. Mayors elected in this manner are known as 'popularly elected' mayors and they hold office for the term of the Council, which is generally a four (4) year period. The other method of electing the mayor is where the elected councillors, at their first meeting following the ordinary council election, vote for one of their own who will be mayor for a period of generally two (2) years. A further election for Mayor is then held midterm for a mayor to cover the remainder of the Council term. This is the method that Bourke Council has successfully utilised for many years in determining its mayor.

It wasn't that long ago that mayors elected by their fellow councillors were only elected for a twelve (12) month term however changes to the Local Government Act last decade extended this term to a two-year period. The COVID pandemic however played havoc with the mayoral term, with the ordinary Council elections that would normally have taken place in September 2020 being ultimately postponed until 4 December 2021. As a result, the term of the current Council is three (3) years, whereas council terms are normally four (4) year terms. Given this, mayors who were elected by their fellow councillors in 2021 hold office until September 2023 and mayors elected in September 2023 will then hold office until 14 September 2024, the day of the next ordinary Council elections.

Getting back to next week's meeting, as is the case with all of Councils meetings, it is open to the public, except for certain matters that comply with the requirements of the Local Government Act that are deemed to be of a confidential nature and are thus considered in a closed session of Council. In respect of such confidential matters, before the Mayor closes the monthly meeting, he invites me, as General Manager, to read out in open Council what Council determined during its closed session. Monday's meeting will be live streamed from 9.15am and can be viewed by accessing the meeting link on the front page of Council website (www.bourke.nsw.gov.au).

As I have previously mentioned, a Public Forum is scheduled prior to each meeting commencing at 9.00am, if required. If you wish to participate in the Public Forum and address the Council, it is requested that you please contact Councils Executive Assistant, Margo Anderson, on phone 6830 8000 or by email at ea@bourke.nsw.gov.au by 4.00pm on the Friday prior to the Council meeting to allow your item to be placed on the Forums agenda and Councillors advised accordingly.

National Drowning Report

With the warmer weather rapidly approaching, the Royal Life Saving Society of Australia has recently released its 2023 National Drowning Report. Any drowning, whether it be at a beach, a dam, a river or in a backyard swimming pool, is tragic.

The report shows that whilst drownings across the Nation declined overall with 281 deaths, down 17 per cent on the previous year when there were 339 deaths, NSW recorded the greatest number of drowning deaths with 107 fatalities. Men made up 77 per cent of drowning deaths with adults over 45 years of age making up 57 per cent of the drownings. The report attributes these high number of male drownings to men in their actions in trying to save a family member from the water. Coastal environments accounted for 44 per cent of deaths, inland waters 37 per cent and backyard pools 10 per cent. For us folk who live in the Far West, the report notes that although 59 per cent of drownings involved major city residents, people from outer regional and remote areas were almost twice as likely to drown. That's not a good statistic. One piece of good news from the

report is that drowning prevention efforts have resulted in a 33 per cent decrease in the deaths of children, four years and younger, compared to the 10-year average.

If you and your family are heading to the coast this summer for holidays, be aware that rip currents at beaches are the number one coastal hazard and are a contributing factor in more than a quarter of coastal drowning deaths. Please understand your swimming limitations and swim at patrolled beaches between the red and yellow flags. If you're at the river or at a dam swimming, boating or even just relaxing on the bank, there are many hidden dangers that you may not be aware of lurking below, such as fast-flowing water, submerged objects such as rocks, snags and tree branches and slippery banks and uneven surfaces.

Welcome Baby

With no operating birthing unit at the Bourke Multipurpose Centre resulting in expectant Mothers having to generally travel to Dubbo to deliver their pride and joy(s), the annual celebration to "Welcome Baby to Bourke Community" is an excellent initiative of the Western NSW Local Health District.

To be held next Tuesday, 26 September 2023 commencing at 10.30am at Darling Park at the corner of Mitchell and Sturt Street, Bourke, this year's 2023 Welcome to Community Baby Ceremony will be the third such event following the initial ceremony in 2021. With the event having been named as a finalist in the 2023 NSW Health Awards, the Ceremony is open to all infants aged from birth to two years with the introduction of babies to the community being a traditional practice that has been implemented through generations dating back thousands of years.

The ceremony is coordinated by the WNSWLHD Aboriginal Health and Wellbeing Directorate and funded by the NSW Ministry of Health. My thanks go to the various key stakeholders who continue to make the free ceremony possible, including all Childhood services and Non-Government Organisations across Bourke.

I understand that registrations closed on Monday. Notwithstanding, if you haven't registered your child, you can still attend the Ceremony and let Pat Canty or her team know you are there. Whilst your baby may not receive the Welcome to Bourke Certificate on the day, arrangements will undoubtedly be made for your child to obtain a certificate.

Bourke Aboriginal Corporation Health Service

Council at its July 2023 meeting resolved to sell five blocks of land located at the eastern end of Mitchell Street for the purpose of the Bourke Aboriginal Corporation Health Service (BACHS) constructing a new Primary Health Care Centre. With an area of some 4700m² and the land having sat idle for well more than 20 years, Council very much looks forward to the construction of the facility commencing and ultimately, being completed and operational. With more than \$8m in funding being provided to the project by the Australian Government as part of the Government's funding of 52 new health infrastructure projects across the country for Aboriginal and Torres Strait Islander community-controlled health facilities, it is an exciting project for Bourke and the region.

On behalf of Council, I extend congratulations to the BACHS for their efforts in securing this funding. Council staff have held pre-Development Application discussions with planning consultants working on behalf of the Service in preparing the necessary development documentation. Given the high value of the development, the development application will be determined by the Western Regional Planning Panel rather than Council, with the Mayor and Deputy Mayor representing Council on this Panel. Planning Panels have been a part of the NSW Planning regime for some time now with the Western Regional Planning Panel having been originally created in September 2009, Planning Panels are independent bodies that seek to strengthen decision making on regionally significant development applications and other planning matters. Importantly, determinations made by Planning Panels are not subject to the direction of the Minister for Planning.

Quote: “If you are not willing to learn, no one can help you. If you are determined to learn, no one can stop you.” Zig Ziglar- Motivational Speaker.

Recommendation

That the information in the General Manager’s Activity Report as presented to Council on Monday, 25 September 2023 be noted.

22.5 TOURISM AND EVENTS REPORT

File Number:	T4.3
Author:	Ben Nott, Coordinator Tourism Operations
Authoriser:	Melanie Milgate, Manager Economic Development
Attachments:	<ol style="list-style-type: none"> BOBEC Statistics August 2023 BOBEC Website Statistics August 2023

Background

The Bourke Shire Councils Tourism and Events report provides Council with an updated status report for August 2023, 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

During the month of August 2023, the Tourism and Events Team participated in the following activities:

Back O' Bourke Information and Exhibition Centre

Performance Indicator	July 2023	August 2023	% Difference
Vend Turnover (ex GST)	\$83,682.73	\$98,936.90	▲ 16.7 %
Visitor Numbers	2520	2559	▲ 1.5 %
Email Enquiries	429	359	▼ 17.8 %
Incoming Calls	553	595	▲ 7.3 %
Website Enquiries	2,200	2,400	▲ 8.7 %
Exhibition Tickets	831	814	▼ 2.1 %
PV Jandra Tickets	325	1,194	▲ 114.4 %
PV Jandra Cruises	18	50	▲ 94.1 %
Café Turnover (ex GST)	\$33,862.73	\$33,533.45	▼ 1.0 %
Café Event Catering	5	6	▲ 18.2 %
Functions	6	5	▼ 18.2 %
Mt Oxley Tickets	139	145	▲ 4.2 %
Tour Groups	5	3	▼ 40.0 %
Financial YTD Turnover (ex GST)	\$83,682.73	\$182,619.63	

Back O' Bourke Exhibition Centre

BOBEC continued operations 7 days per week in August 2023. The Café opening hours are Monday to Sunday from 9.00am to 3.00pm and the Exhibition Centre opening hours are Monday to Sunday from 9.00am to 5.00pm.

The Back O' Bourke Information Centre garden staff were kept busy in August 2023, completing general maintenance and preparing for a new area to be turfed in September.

The site was very busy overall again in August 2023, thanks again to all the staff. BOBEC are always on the lookout for more staff.

Café and Functions

The Café and Information Centre were very busy in August with many travellers passing through on their way to the Mundi Mundi Bash and the Birdsville Races.

The Café provided six (6) catering jobs for the month, these included 5 function centre bookings for the Rural Financial Counselling Service, WaterNSW, REDI.E, Women’s Gathering and Bourke Shire Council, and one for a private event on the Jandra. Catering turnover was close to \$4000 for August 2023.

Coach Bookings

There were three (3) tour group bookings during August 2023, these included Viva Holidays, Bundaberg Coaches and Outback by Air.

Crossley Engine

Maintenance on the Crossley engine continued with 1 engine still out of action. Staff are currently trying to start the Crossley engine daily with only the one engine.

PV Jandra

The PV Jandra was not operational from 24 to 27 August as the Captain was on leave. Since 30 March when the Jandra became operational, there have been 4,980 passengers aboard.

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

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Jan	448	560	325	326	302	348	386	782	1109	816	603	609
Feb	157	397	271	373	391	220	282	1043	386	630	725	557
Mar	570	1500	1051	1342	1612	1245	1274	1021	412	1389	1100	1006
April	2144	3103	3146	3849	3118	3114	4024	3166	0	2387	2323	1709
May	2891	3758	3988	4602	4073	3983	4770	3693	0	2564	2016	1713
June	3216	4492	4275	5437	5199	4754	5634	4490	993	2366	2227	1971
July	4643	5173	6241	6002	5941	5982	7614	6834	2570	1068	2998	2520
Aug	4162	4410	4793	5078	4951	5051	5548	4052	1898	255	2557	2559
Sep	5074	4275	4764	4489	4532	4246	4676	3601	3325	0	2203	
Oct	3967	2383	2486	2370	2475	2463	3574	2222	5246	409	1094	
Nov	930	789	671	610	1031	876	1014	1220	1989	866	710	
Dec	347	207	242	272	281	255	630	860	1194	897	586	
Total	27649	31044	32253	34750	33906	32537	39454	32984	19122	13647	19142	

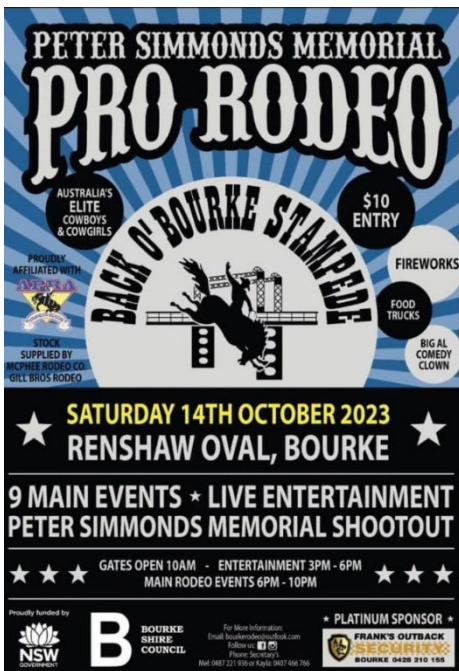
Events



Ronnie Gibbs Footy and Netball Gala Day

Bourke welcomed Ronnie Gibbs and the team back for yet another successful Gala Day at Davidson Oval, Bourke. The 2023 Gala held on Wednesday 23rd of August was a massive day with 38 teams between the two sports, netball and Rugby League. In the under 14's Nyngan High School came out Winners with Cobar High School runners up. In the Opens Brewarrina Central School came out Winners with Nyngan Central School Runners up. At the conclusion of the school event, Ronnie along with NRL

Western NSW representatives, Creative Community Concepts, and a team of girls from Orange High School join the tourism team for a sunset cruise on board the PV Jandra.



Back O' Bourke Stampede

Planning for the upcoming Peter Simmonds Memorial Pro Rodeo - Back O' Bourke Stampede are proceeding well. This event is sure to attract some 2000+ attendees. Among these attendees will be some of the country's top cowboys and cowgirls chasing an APRA national title at what will be one of the country's highest paying and prestigious rodeos.

The event will be proudly affiliated with APRA (Australian Professional Rodeo Association) and all rodeo stock provided will be from two of Australia's biggest names in rodeo: the McPhee Rodeo Company & Gills Brothers. The Stampede Committee continue to meet regularly. Numerous volunteers have offered support during the day which all starts from 10am, Saturday 14th October 2023 at Renshaw Oval Bourke.

Financial Implications

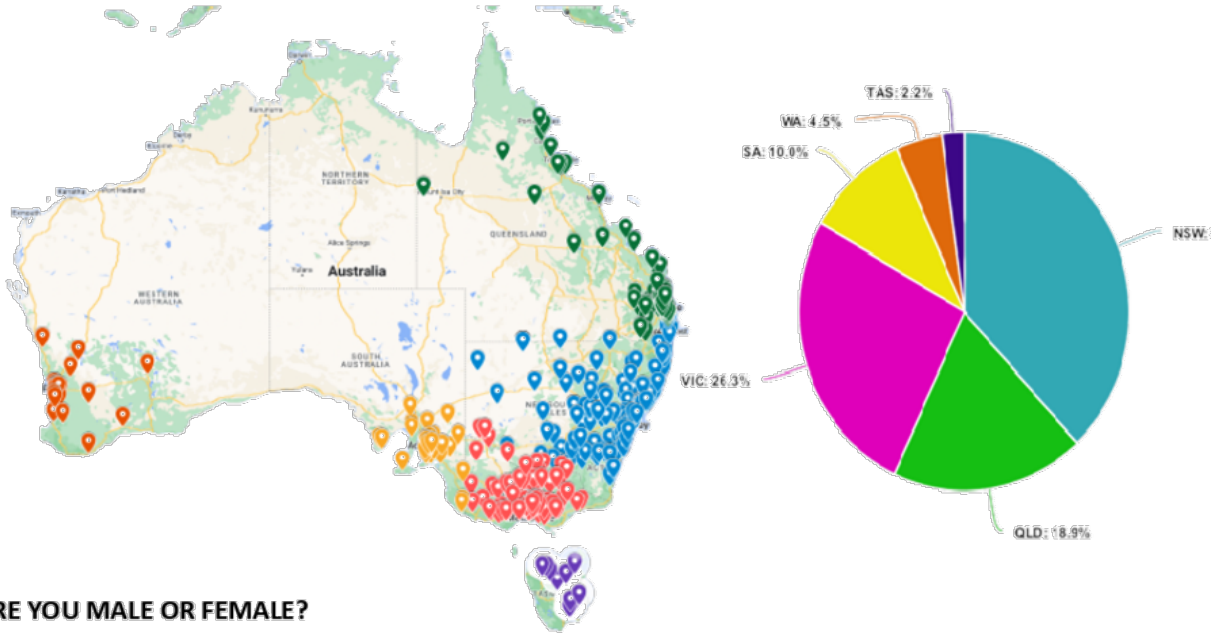
There are no financial implications.

Recommendation

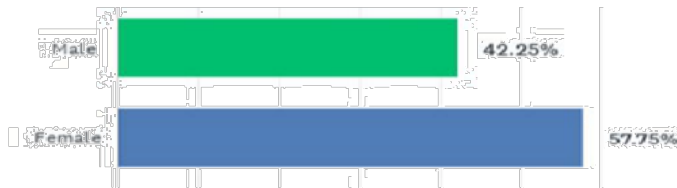
That the information in the Tourism and Events Report for July 2023 as presented to Council on Monday, 25 September 2023 be noted.

AUGUST 2023

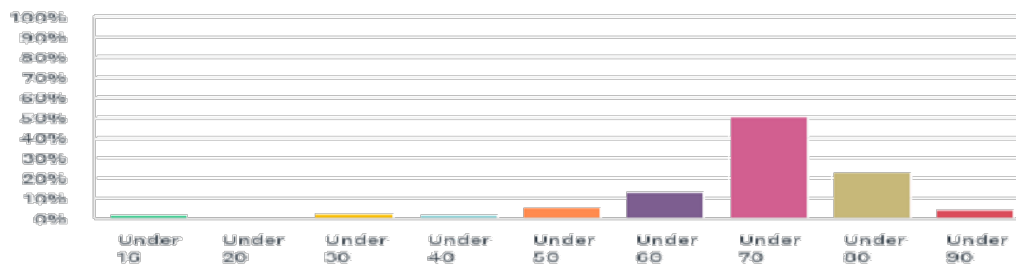
WHAT IS YOUR HOME POSTCODE?



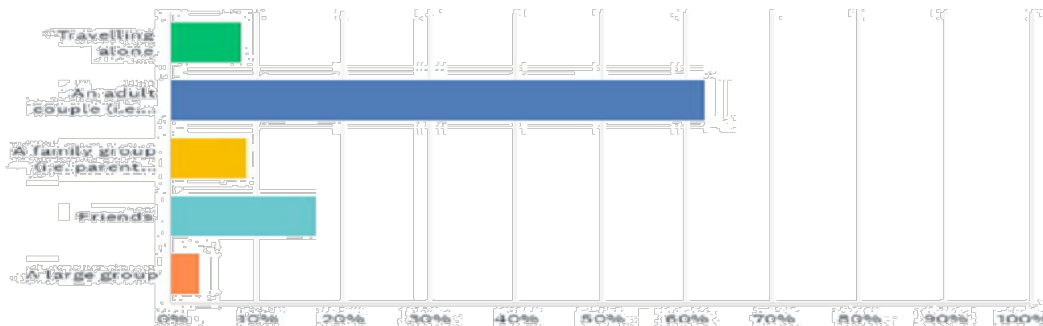
ARE YOU MALE OR FEMALE?



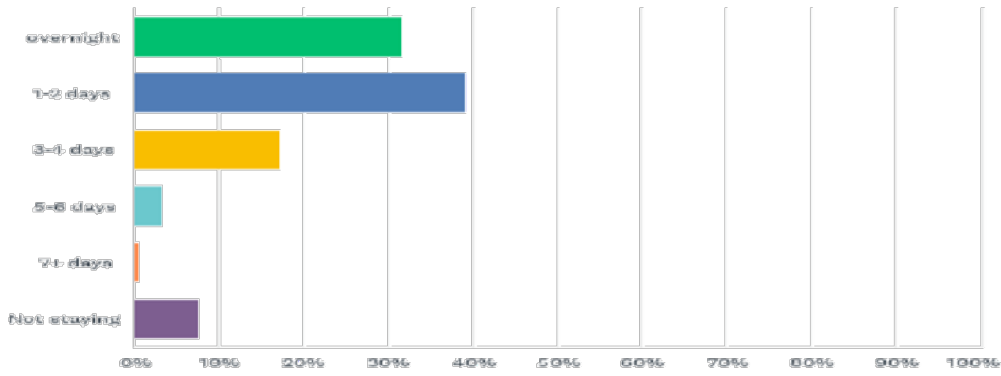
WHAT IS YOUR AGE?



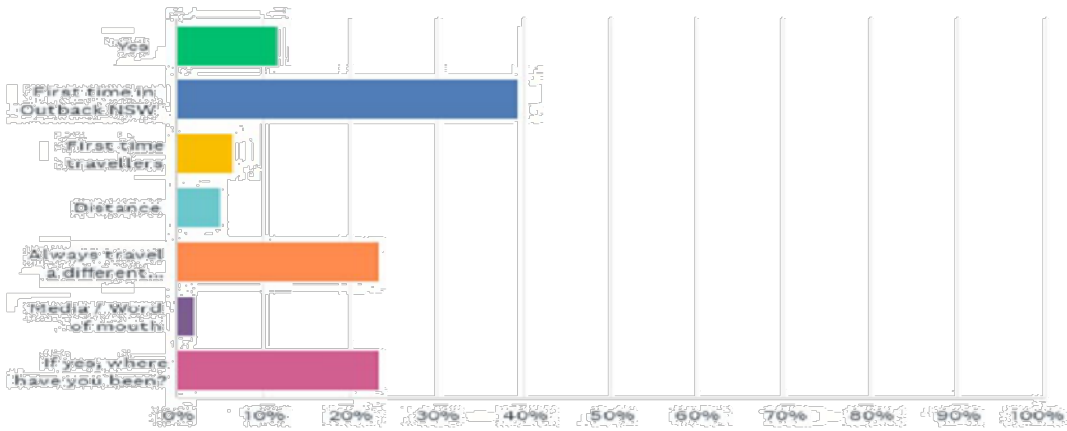
HOW WOULD YOU DESCRIBE YOUR IMMEDIATE TRAVEL PARTY?



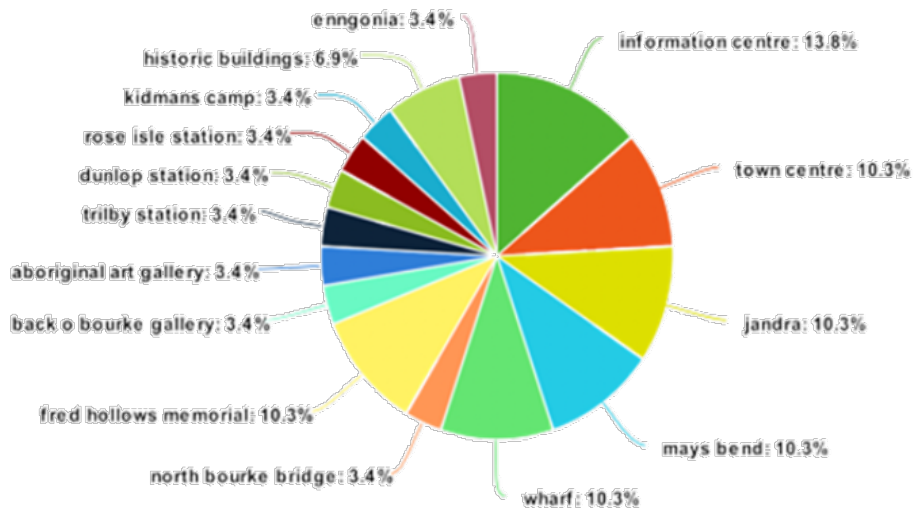
HOW LONG ARE YOU STAYING FOR?



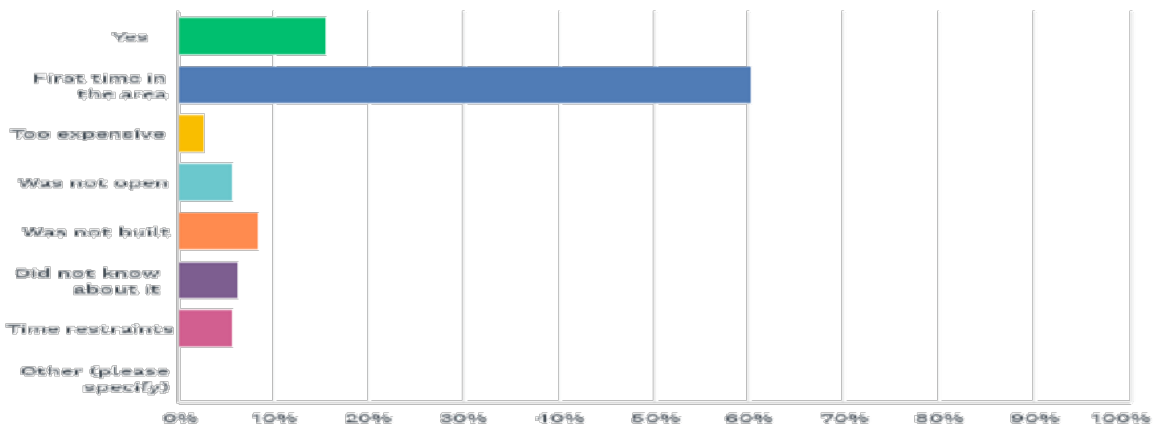
HAVE YOU BEEN TO BOURKE BEFORE?



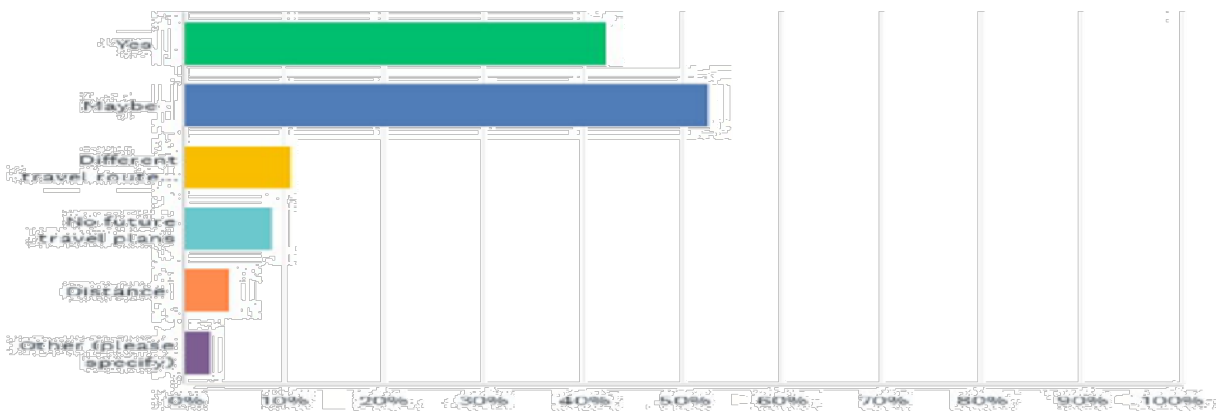
WHERE HAVE YOU BEEN?



HAVE YOU BEEN THROUGH BACK O BOURKE CENTRE?

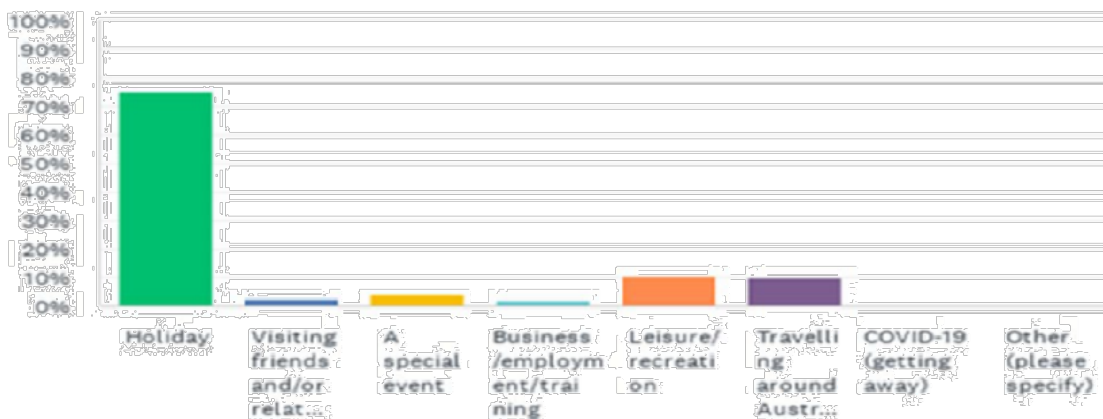


WILL YOU BE RETURNING TO BOURKE?

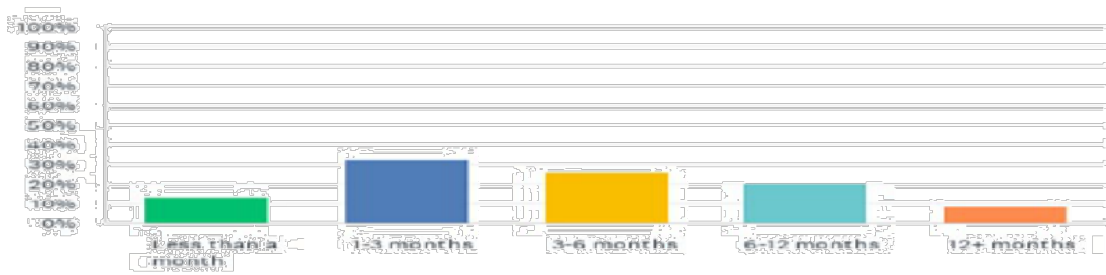


Only one answer to other: "we enjoyed our experience 4 years ago but it has changed considerably and we did not enjoy today's experience. Too much reading and grossly overpriced for current experience"

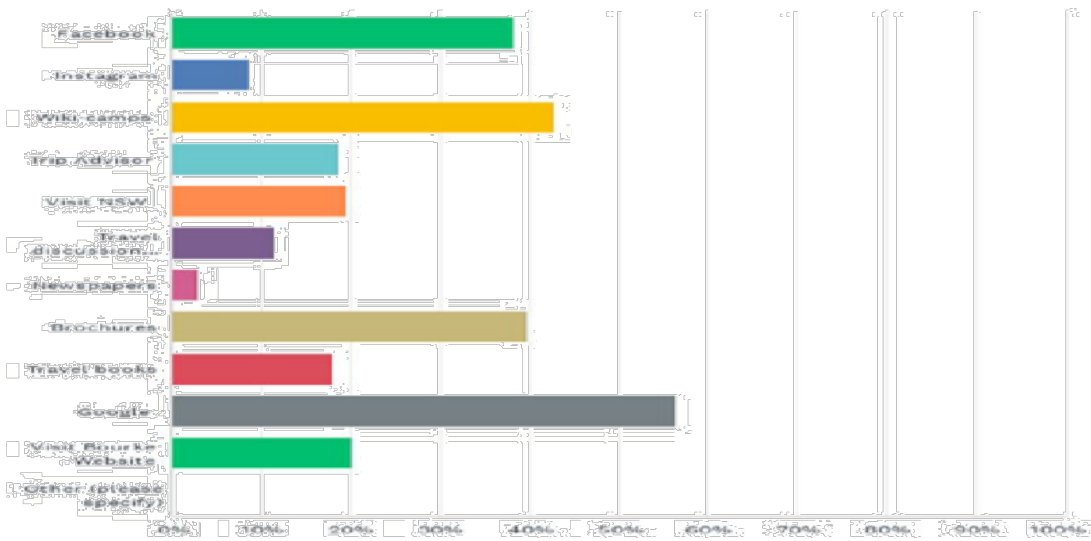
WHAT IS THE PURPOSE OF YOUR TRIP?



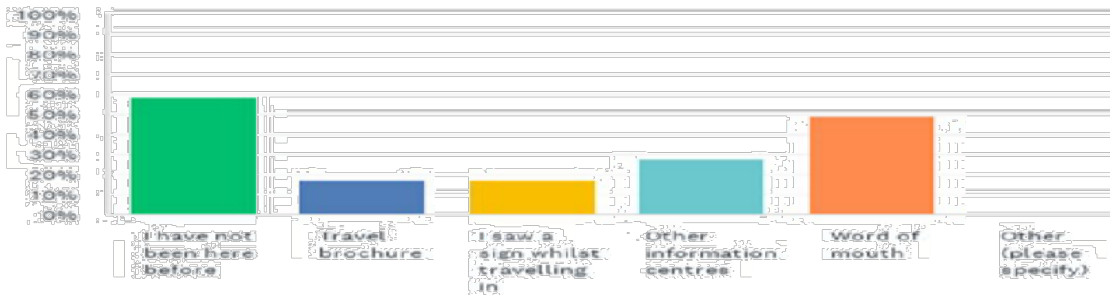
HOW LONG AGO DID YOU PLAN FOR THIS TRIP?



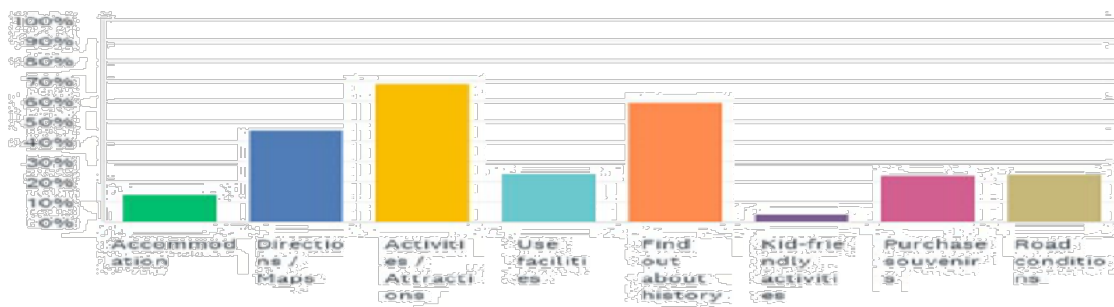
WHAT FORMS OF MEDIA DO YOU USE TO FIND INFORMATION?



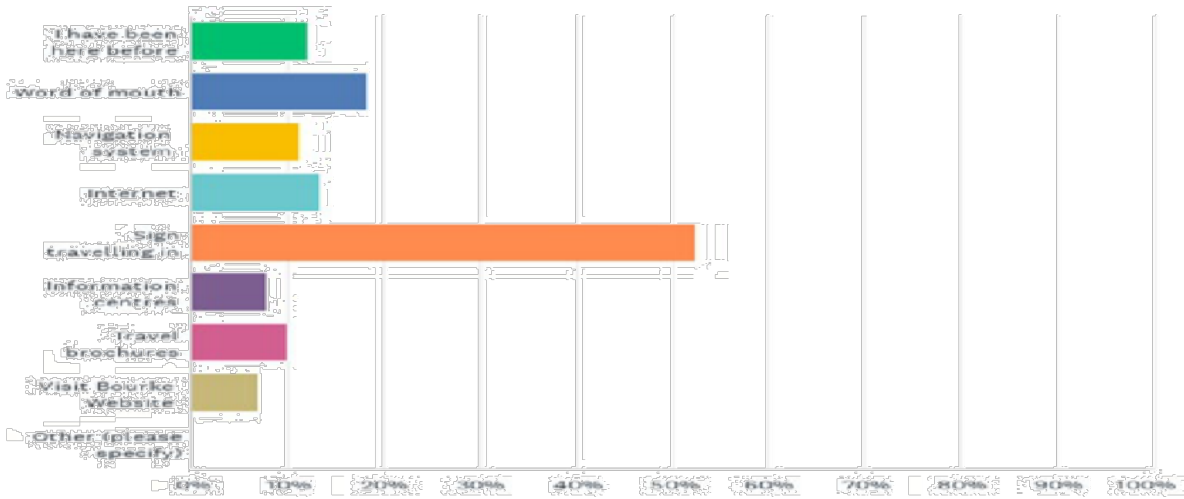
WHAT DETERMINES YOUR DECISION AS TO WHERE TO GO?



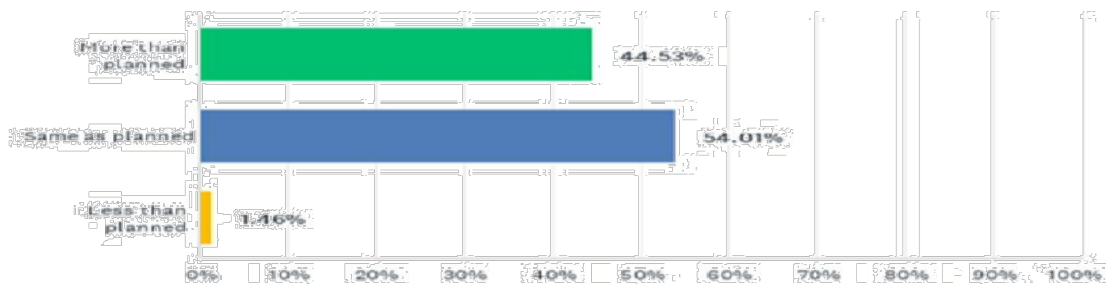
WHAT INFORMATION ARE YOU LOOKING FOR AT THE INFORMATION CENTRE?



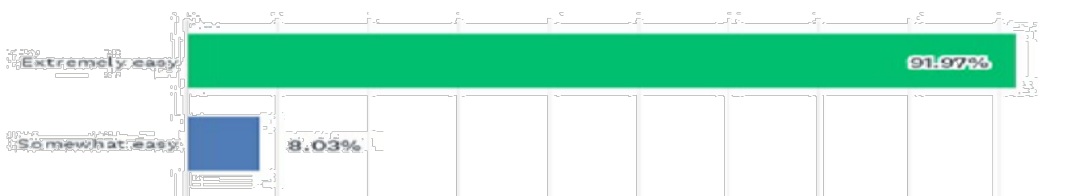
HOW DID YOU FIND OUT ABOUT THIS INFORMATION CENTRE?



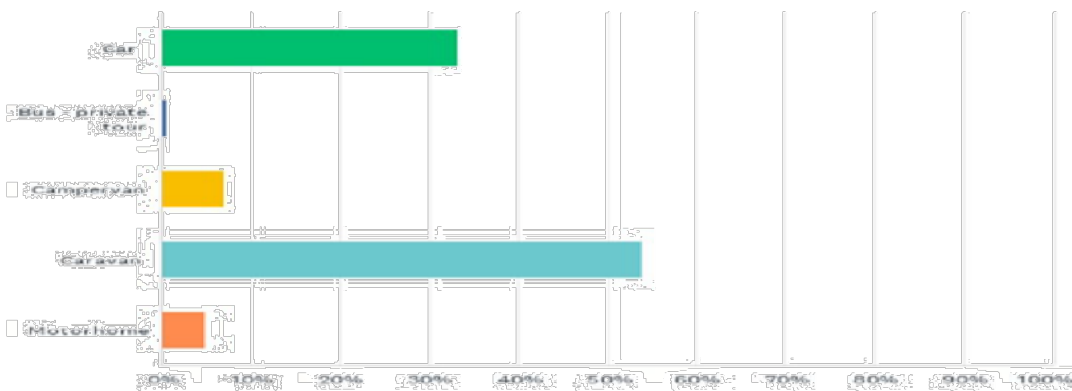
HOW DO YOU THINK THE INFORMATION THAT YOU GAINED FROM THE CENTRE MIGHT INFLUENCE HOW LONG YOU STAY AND THE ACTIVITIES YOU DO?



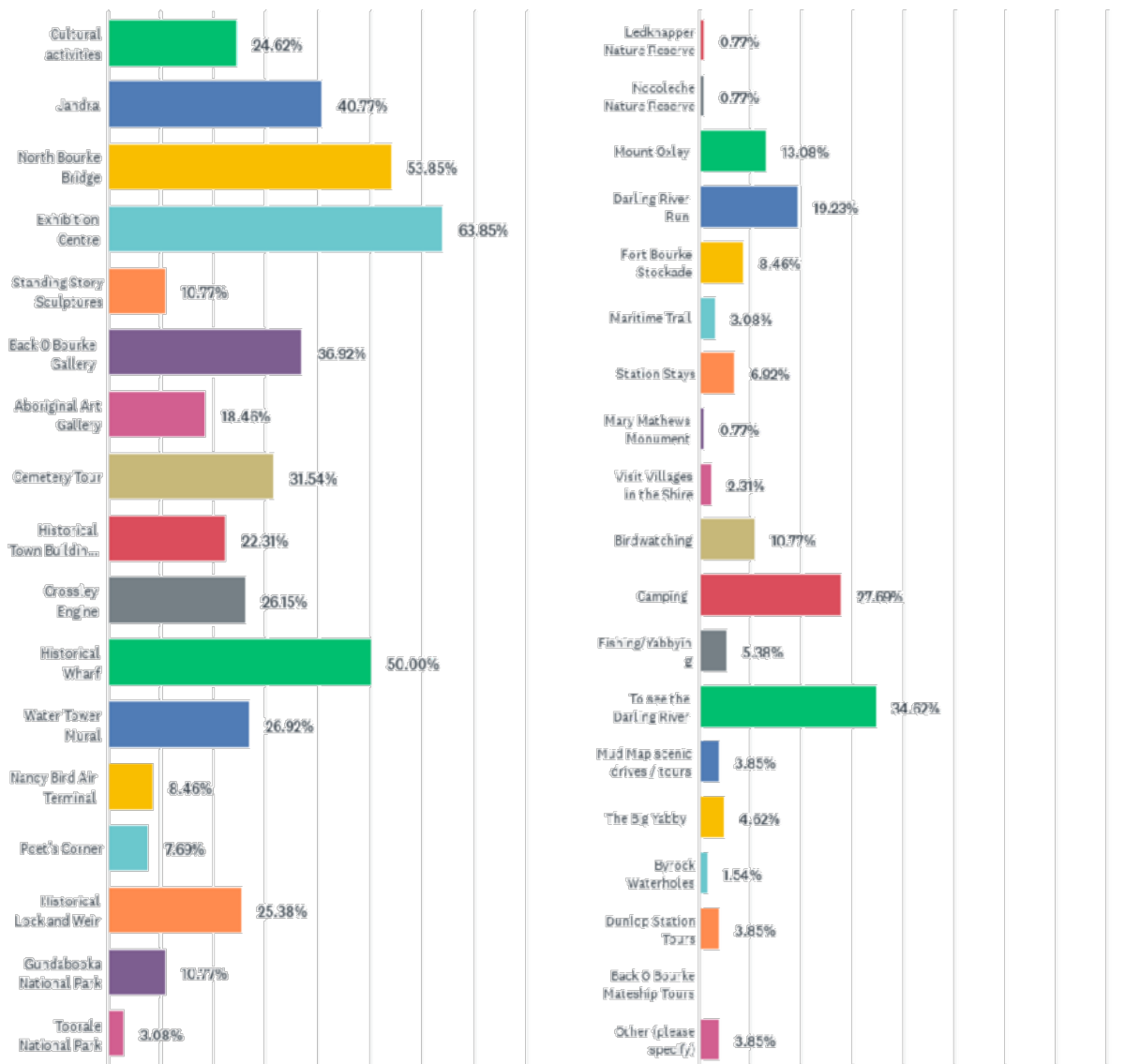
IN YOUR OPINION, HOW EASY WAS IT TO FIND OUR LOCATION?



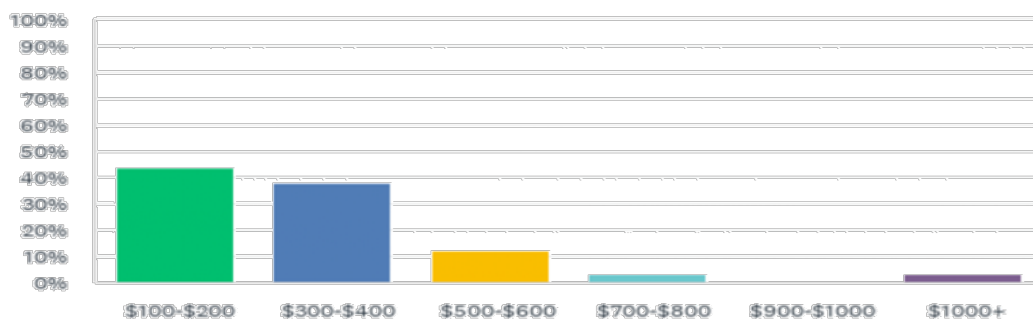
HOW DID YOU TRAVEL TO BOURKE?



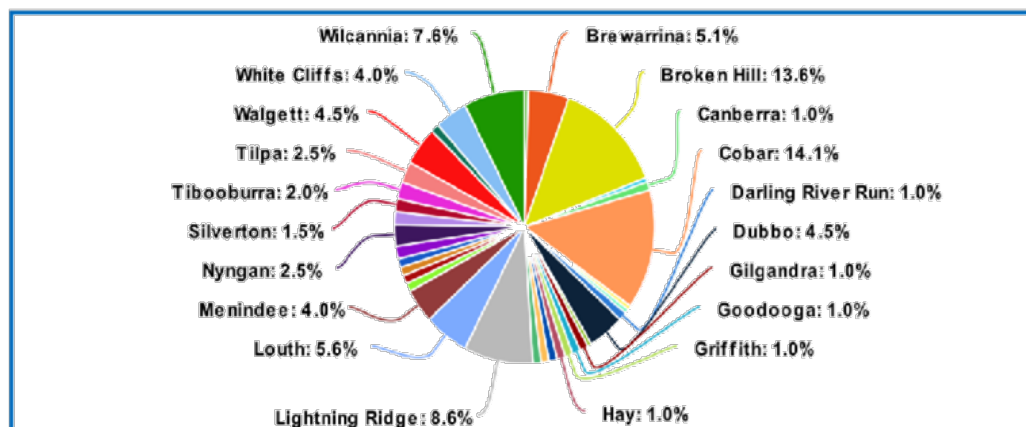
WHAT ACTIVITIES HAVE YOU DONE OR PLAN TO DO DURING YOUR STAY?



OVER THE ENTIRE STAY IN BOURKE, HOW MUCH IN TOTAL, INCLUDING ACCOMMODATION, DO YOU ESTIMATE YOU HAVE/WILL SPEND IN AUSTRALIAN DOLLARS?



WHAT TOWNS HAVE YOU VISITED, OR ARE YOU PLANNING TO VISIT ON THIS TRIP?



PLEASE LET US KNOW ABOUT ANY FEEDBACK YOU MAY HAVE REGARDING YOUR STAY

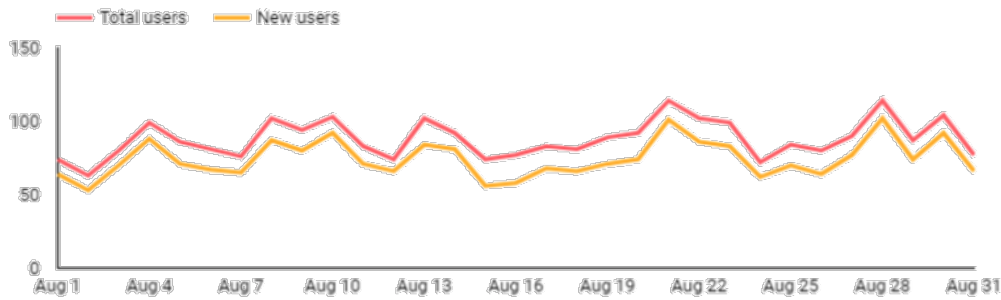
- “wonderful: memorable: historical”
- “good trip”
- “Lovely to see green lawns around houses and buildings. Beautiful historic buildings in town. Café and surroundings at tourist information centre very relaxing. Café in town near wharf engine also great coffee/area”
- “impressed with the growth in tourism industry since last visit”
- “very nice people at info centre”
- “always brilliant”
- “Kidman camp excellent”
- “it’s a lovely place and people are friendly also sunny and warm”
- “Great its dog friendly here. Patronise dog friendly places”
- “loved trilby, loved Dunlop visit and tour, loved the national parks and Menindee”
- “information centre movie and history display was fantastic”
- “enjoying it”
- “average”
- “I was saddened that the Back O Bourke did not know about the companion card. These are state government issued cards to acknowledge the work of carers in supporting those with a disability The norm is that the companion is given a complimentary pass so as to assist and support their friends/family has a disability. Can I urge you to show support for those with a disability and give them the support they need to be able to visit such a wonderful place”
- “We were here in 2020 and found Bourke to be very interested so we were happy to travel here again. We have not been disappointed and enjoy what Bourke has to offer. Keep going with your good and no doubt challenging work!”
- “Kidman camp very good”
- “speakers in exhibit need look at the on with the round view of the river/Jandra it was hissing”
- “loved Kidman way caravan park other areas are amazing”
- “Great information and helpful staff. Thanks”

- “no commentary on the Jandra, very disappointing”
- “we will be back, ran out of time”
“really enjoyed our wiki camps at Enngonia”
- “all very good”
- “fabulous centre – brilliant”
- “I visited the back o Bourke valley about four years ago (2019) and really enjoyed it, so I decided to visit it again on this trip. However I found it very expensive and very disappointing. It was much better four years ago. I could never recommend it now”
- “Great at Kidman’s camp. Great cemetery, great village, historic buildings”
- “Stayed at Kidman’s camp. Great place going on Jandra this afternoon”
- “we are amazed at how Bourke has picked up last visit 2 years ago, possibly 3-4 times before over past 20 years. Keep up good work – so obvious you are trying hard and succeeding. Cobar is dying fast. Great to see this happening”
- “we don’t have enough time to look around due to training”
- “All very good, very impressed with history. River cruise was little disappointing. No information given.”
- “very friendly, informative with beautiful facilities thanks Bourke”
- “please to see water in the river cause it was dry last time we visited in 2019”
- “We are staying out at Kidman’s camp and glad that we are. We were advised by some friends of ours, lovely place would stay here again if and when we are back in Bourke”
- “The caravan park is well run. Briana was excellent, dog kennel at back o Bourke is a great idea”
- “all good, plenty available, very welcoming thank you”
- “just got here but we are excited to explore”
- “outstanding incredibly helpful”
- “no commentary on the Jandra on 6/8/2023 was very disappointing”
- “Kidman camp meets expectation for the cost. Just staying touring around town so cannot comment on attractions”
- “staying at beautiful mays ben free camp”
- “Kidman camp – very good, very convenient so good to see such improvement in the area since our first visit in the early 1990s which was of during the recession we had to have and drought. Congratulations, lovely to see the vibrancy of the place and such a great booklet on what to see here”
- “Went on Jandra with no local/historical info given on the boat. 2 hour cruise was a bit boring”
- “nice place”
- “always interesting”
- “Kidman’s caravan park is beautiful. The walk town centre buildings was wonderful but would like more information posted on them”
- “fanatic local knowledge and friendly staff”
- “Back o Bourke exhibition centre was very well presented. It gave us a good look at what helped create Bourke. Thank you”
- “Fantastic”
“this is a wonderful exhibition, we have spent 7 hours here. Thank you”
- “Bakery was excellent. Sausages at the pub were excellent”
- “I loved the introductory video it was mesmerizing”
- “this exhibition centre excels itself – better than stock and hall of fame”
- Feedback is a gift – the introduction video was disappointing – creation excellent – content imposed on us – another “not welcome to country”
- “wonderful place to visit”
- “what an amazing surprise. So much to see and feel”

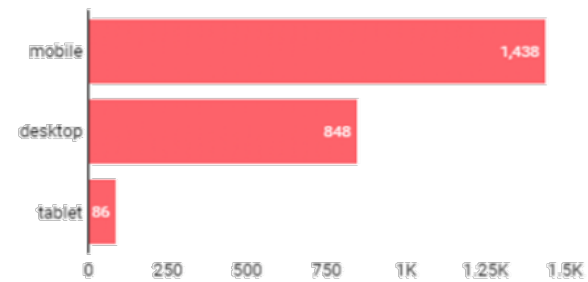
BOBEC Website Statistics August 2023

Total users 2.4K ↑ 8.8%	New users 2.3K ↑ 9.2%	Sessions per user 1.3 ↓ -0.6%	Page views 7K ↑ 1.1%	Conversions 334 ↓ -6.7%	Device category ▾
					Country ▾
					User source / medium ▾

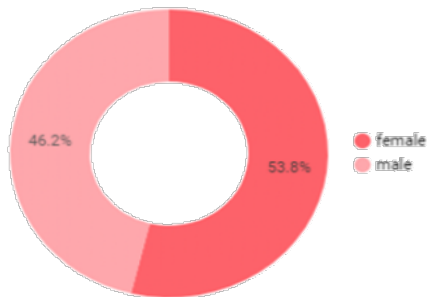
Total users



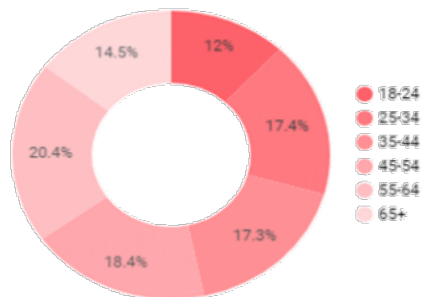
Users by Device category



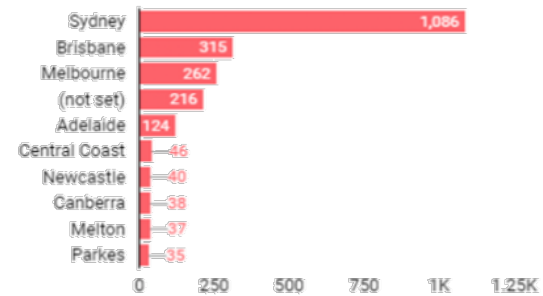
Users by Gender



Users by Age



Users by City



22.6 LIBRARY MANAGER'S ACTIVITY REPORT FOR AUGUST 2023

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

Current Situation

The following items for the August 2022 and August 2023 period are presented for information.

Item	August 2022	August 2023
Loans	642	645
New Members	10	17
Internet/Word Processing	32	65
Wireless Tickets	9	27
Number of Visitors	622	639
Scans	32	23
Information Requests	94	94
Technical Assistance / Printing	84	63
Faxes/ Laminating	0	1

- The Library’s regular services continued in August 2023, including Online Trivia and Kids LEGO Club. We also assisted with 5 tax returns through the TaxHelp program.



- Also in August, Children’s Book Week was celebrated in the Library. There were competitions available throughout the month and a party was held to present the winners with their prizes.



Recommendation

That the information in the Library Manager's Report for August 2023 as presented to Council on Monday, 25 September 2023 be noted.

23 CLOSED SESSION

Recommendation

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:

23.1 * North Bourke Bridge Restoration**

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

